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# OFFICIAL PROCEEDINGS OF
# THE CITY COUNCIL
## OF THE CITY OF LANSING

## Proceedings, January 5, 1981

CITY COUNCIL ROOMS

Lansing, Michigan

January 5, 1981

The City Council of the City of Lansing, Michigan, met in regular session and was called to order by City Clerk Theo Fulton.

Present: Councilmen Adado, Belen, Blair, Brenke, Gunther, Lindemann, McKane, Worthington—8.

Absent: None.

The Clerk announced that a quorum of the Council was present.

Invocation was given by Councilman McKane.

Pledge of Allegiance was led by Councilman McKane.

By COUNCILMAN WORTHINGTON—

Resolved by the City Council of the City of Lansing:

That the rules of the Council be waived for the purpose of presenting the following resolution.

Carried.

By COMMITTEE OF THE WHOLE—

Resolved by the City Council of the City of Lansing:

Whereas, the Charter of the City of Lansing designates the first regularly scheduled City Council meeting of each year as the annual organizational meeting, during which the Council President and the Council Vice-President shall be selected;

Now, Therefore, Be It Resolved, the Lansing City Council sitting in regular session this fifth day of January, 1981, does hereby select Councilman Lucile Belen to serve as Council President for a term of one year; and

Be It Further Resolved, the City Council hereby selects Councilman Jack Gunther to serve as Council Vice-President for a term of one year.

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Adopted by the following vote:

Yeas: Councilmen Adado, Belen, Brenke, Gunther, Lindemann, McKane, Worthington—7.

Nays: Councilman Blair—1.

Councilman Blair asked to explain his "No" vote.

President Belen took the chair.

By COUNCILMAN GUNTHER—

That the Council Proceedings of November 24, December 1, 8, and 15, 1980, be approved.

Carried.

## PUBLIC HEARINGS

January 5, 1981, at 7:00 o'clock being the time set as the time for holding a public hearing on the proposed Project Plan for the Walco/Federal Forge Project.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed plan they had the privilege of speaking at this time.

Referred to Committee on Economic Development.

January 5, 1981, at 7:00 o'clock being the time set as the time for holding a public hearing on the proposed adoption of the Revised Electrical Code.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed code, they had the privilege of speaking at this time.

Roy Marky, 1325 E. Jolly Road, spoke and asked questions.

Referred to Committee on Public Property and Safety.

January 5, 1981, at 7:00 o'clock being the time set as the time for holding a public hearing on the proposed FCF-6-80—Foster Care Facility for property at 817 Dunlap Street.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed Foster Care Facility they had the privilege of speaking at this time.

Referred to Committee on Physical Development.

**THE PUBLIC MAY NOW ADDRESS THE CITY COUNCIL ON ANY OF THE FOLLOWING ITEMS LISTED ON THE AGENDA: COMMUNICATIONS AND PETITIONS, COMMITTEE REPORTS, REPORTS OF CITY OFFICERS AND BOARDS AND RESOLUTIONS. YOU MAY SPEAK ONLY FOR 3 MINUTES ON ANY ONE ITEM.**

No persons spoke.

## COMMUNICATIONS AND PETITIONS

The following application was filed for license:

AUCTIONEER—
Donald H. Brink.

Referred to Committee on General Services.

R. David Wilson, Attorney, submits an Unfair Labor Practice Charge relating to FOP Lodge No. 141 and the City of Lansing which was sent to Michigan Employment Relations Commission Department of Labor.

Referred to Mayor, City Attorney.

Claim filed by Michigan Mutual Insurance Co. for Lloyd C. Day in connection with damage to his automobile while parked at the S. Grand Parking Ramp due to seepage of lime.

Referred to Mayor, City Attorney.

Waverly Band Boosters request special 24-hour liquor permit for February 14, 1981, in connection with a Millionaire's Party to be held at the Michigan National Guard Armory.

Referred to Mayor, Committee on General Services.

Continental Cablevision of Michigan, Inc., submits News Release in regard to the distribution of Community Programming Funds.

Received and placed on file.

Consumers Power Company submits notice of Public Hearing to be held on January 5, 1981.

Received and placed on file.

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Department of Natural Resources submits application to alter or occupy a flood plain by R. E. Olds Museum Association, Inc.

Received and placed on file.

## MAYOR COMMENTS ON ANY ITEM ON THE AGENDA

Mayor congratulated President Belen and Vice-President Gunther on their election for the 1981 year.

## REPORT OF COMMITTEE

The COMMITTEE ON GENERAL SERVICES approves the following application for license:

AUCTIONEER—
Donald H. Brink.

Signed:

WILLIAM A. BRENKE,
TERRY J. McKANE,
LOUIS F. ADADO,
Committee on General Services.

By COUNCILMAN BRENKE—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

## REPORTS OF CITY OFFICERS AND BOARDS

December 31, 1980

Council President Louis F. Adado and
Members of Lansing City Council

City Hall

Lansing, Michigan 48933

Dear President Adado and
Council Members:

On December 22, 1980, we received notification from Senator Riegle's office that the City of Lansing has been awarded an Urban Development Action Grant of $935,000 for the development of Capitol Commons. These grant funds have been awarded for the construction of 116 market rate rental garden apartments and townhouses and together with the commitment of $4,137,975 of private funds will create 125 new construction jobs when construction is started this Spring.

These UDAC funds will be invested by the City of Lansing to provide a high quality housing development at rental rates competitive with the existing market. With this investment, the City assumes an equity position in the development with the E.J.S. Housing Partnership. In return, the City of Lansing will receive from the E.J.S. 60% of the net cash flow generated annually by the operation of these units for the life of the project. Based on an estimated average annual net cash flow of $80,000 the City would receive approximately $50,000 annually. In addition, should the E.J.S. Housing Partnership sell, refinance or syndicate this portion of Capitol Commons, the City will receive its $935,000 investment (UDAC dollars) plus a percentage of the net capitol gain (15% to 50% depending on the year of the transaction). These units will go on the tax rolls for the full amount without tax abatement.

The construction of these 116 rental units also allows the construction of 30 Section 8 rental units and is a condition for the construction of the 200 unit Senior Citizens apartments to be financed by the Michigan State Housing Development Authority. Plans are also continuing for the initiation of construction of the condominium complex and commercial center this spring.

The City of Lansing's initial UDAG request for Capitol Commons was submitted to the Department of Housing and Urban Development in July 1980 for $7,421,000. This amount provided for:

1. $250,000 site improvement for Phase I.
2. $1,500,000 construction of a parking deck for the condominiums.
3. $1,050,500 land acquisition, relocation, demolition and administration for Phase II, which consists of the 30 remaining properties on the east side of Butler Street.
4. $4,619,700 land acquisition, demolition, relocation, site improvements and administration for a proposed Phase III, which would expand the project area from Butler to Logan between Kalamazoo and St. Joseph in accordince with the recommendations of the Capitol Commons Citizen's District Council.

The intent of the original grant request was to utilize the private investment generated from the development of Phase I as leverage to obtain grant funds to acquire Phases II and III. Unfortunately, HUD separated the request and evaluated each component of the Development program as an independent transaction. UDAG emphasis is being placed on immediate development with UDAG funds to be invested in development and not for property acquisition. HUD staff provided direction which indicated that acquisition funds should be deleted from the application and instead be recaptured from the investment of grant funds in the develop-

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ment of the first development phase. At HUD's suggestion the Phase III acquisition program was deleted from the application which was resubmitted to HUD on December 5, 1980. The revised grant application, which was the result of several meetings between HUD and City staff, was for $4,552,000, which included:

1. $1,500,000 as an equity position in the low-rise rental units of Phase I.

2. $1,500,000 for use as second mortgages with a low interest rate, which, combined with the first mortgage, would result in below market interest rates for condominium purchasers. This obviously enhances the marketability of the condominiums.

3. 1,552,000 relocation and demolition expenses for Phase II and equity investment in Phase II with the developer advancing to the City funds to acquire the Phase II properties.

As indicated, the announced grant award is for $935,000 to be applied by the City as equity in the development of the Phase I market rate rental apartments and townhouses. HUD staff have directed that the request for the second mortgage funds for the condominiums and the Phase II program be moved back to the next UDAG funding round for consideration. Announcements for the next round are not anticipated until late March, 1981. HUD's decision to fund only a part of our request was due to the keen competition in this round. The "fundable" applications from cities across the country totalled an amount greatly in excess of UDAC funds available to award. Thus only those projects in a position to start construction immediately received priority. The effort by HUD to fund as many projects as possible resulted in the award of only $935,000 to Lansing in this round.

While I am very pleased at the award of $935,000 to Lansing and the benefits it will provide to our citizens in terms of new jobs and the assistance in starting the development of Capitol Commons, this does not provide us with the funds to solve our problem in acquiring the properties located in Phase II. In terms of receiving grant funds as a solution, we must wait until the end of the first quarter of 1981. We have been advised by HUD that the Phase II request for funds and the funds for the condominiums will be given serious consideration. Our city staff and the developers will continue to work diligently and maintain close contact with HUD officials in an effort to strengthen the grant request.

The award of $935,000 will initiate actions which will generate $475,200 in cash from the sale of land in Phase I. I have directed City staff to study the feasibility of using a portion of these land sale proceeds to obtain appraisals of all unpurchased properties located in Phase II. My recommendation to you regarding this matter will be forthcoming in the near future.

Given the degree of competition and stiff requirements imposed on UDAG applications, the awarding of $935,000 is quite an accomplishment. It would not have happened without the assistance and strong support of Senators Riegle and Levin and their staff, Mr. Jack Kirkwood, Director, and the staff of the Grand Rapids FHA insuring office, the Heartwell Mortgage Corporation, which is providing end financing for the development and the Bank of Lansing, which has committed to provide construction financing for the development. Within City government, special notice is given to Ms. Preston, Mr. Stonehouse and Mr. Tubbs and their respective staff for their determination and hard work which has resulted in this, Lansing's second UDAG award.

Sincerely,

GERALD W. GRAVES,
Mayor.

Received and placed on file with copy to the Committee on Physical Development.

December 30, 1980

Honorable Council President Louis F. Adado
and Members of the Lansing City Council

10th Floor, City Hall

Lansing, Michigan 48933

Dear Council President and Members:

I am submitting for your consideration the Community Development Block Grant Program and Budget for the 7th Entitlement Year. The City has not yet received its actual grant amount but, for budgeting purposes, we anticipate receiving $2,151,000.

As you are aware, this program was drastically reduced over the last two years and the current allocation projects the same level of funding for next year that we are currently receiving. However, we have been notified that some additional communities have been added to the entitlement list while the dollar allocation for the program has remained fixed. This could possibly result in our receiving less than the projected $2,151,000.

Within these constraints, I and my administration have developed a program and budget to allow continuation of this program. The proposed budget reflects our on-going efforts within the adopted three year plan in the Neighborhood Strategy Areas, as well as, a limited City-wide rehabilitation program. Further, funds are proposed to continue renovation of Foster Street School on the east side and to proceed with some neighborhood recreational facilities in the southwest section of the City.

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The proposed budget also reflects reprogramming for the same activities of $933,270 from prior year entitlements into the 7th year. The Department of Housing and Urban Development has given verbal approval to do this and we expect written confirmation in the near future. The reprogramming will serve several purposes. It will give a more clear cut view of activities planned in the 7th year. It will also facilitate accounting for the grant as each NDA is completed so that grant years can be closed out and audited.

Also included with your budget package is a summary showing what projects are supported by Community Development staff. The staff support required for the Housing Improvement Program (H.I.P.) and the Neighborhood Improvement Program (N.I.P.) as well as, UDAG and 312 Rehabilitation funds are all supported by this since these programs do not provide any staff or administrative dollars.

I recommend approval of this program and budget with the clear recognition that this budget has virtually no contingency fund; that cuts may have to me made if our actual allocation is less than projected and with the recognition that the staff and administrative dollars within this budget are utilized in support of several other related grant programs.

If you have any questions, Mrs. Lazar and Mr. Morris will be available to answer them.

Sincerely,

GERALD W. GRAVES,
Mayor.

Referred to Committee on Physical Development.

December 30, 1980

Honorable Council President Louis F. Adado and Members of the Lansing City Council

10th Floor, City Hall

Lansing, Michigan 48933

Dear Council President and Members:

I am forwarding to you a request for action on the matter of overtime in the Fire Department. The recommendation that I made last year in my budget to reduce call-back time by changing minimum manning from 61 to 59, thus eliminating the need to call for drivers for the shift commanders, was not supported by you.

At this point, I am again asking for a policy action. If we continue the present practice, you will need to transfer $166,590 for overtime for the remainder of the current fiscal year. Since I am already on record on this matter, I ask you to either act on the issue of minimum manning or on a transfer of funds.

As the Fire Department has virtually exhausted all overtime accounts, action needs to be taken immediately. If you do not act, this will be the same as reducing so-called minimum manning in order to conform to legal budgetary restrictions.

Sincerely,

GERALD W. GRAVES,
Mayor.

Referred to Committee on Ways and Means.

DATE: 12/29/80

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Submission of attached correspondence from the City Attorney Re: Riverfest '80 Overrun

The attached correspondence is submitted for your information.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Ways and Means and City Attorney.

DATE: 12/30/80

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Director of Building Safety and Development Re: Trash Removal Assessment

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

By COUNCILMAN LINDEMANN—

That we concur in the recommendation of the Mayor and said amounts be placed on the special assessment rolls.

Carried.

Date: 12/22/80

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Director of Building Safety and Development Re: Request for demolition approval—816 N. Pennsylvania

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The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Public Property and Safety.

Date: 12/22/80

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Director of Building Safety and Development Re: Request for setting Public Hearing—139 Isbell Street

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Physical Development.

December 22, 1980

Honorable Council President Louis F. Adado and Members of the Lansing City Council

10th Floor, City Hall

Lansing, Michigan

Dear Council President and Members:

In February of 1981, the term of William Porter, Jr., expires on the Economic Development Corporation Board. As Mr. Porter has been a definite asset to this most important Board, I am recommending his reappointment, which term would then expire in February of 1987.

Trusting this recommendation meets with your approval, I remain

Sincerely,

GERALD W. GRAVES,
Mayor.

Referred to Committee on Economic Development.

Date: 12/22/80

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Planning Director Re: EDC-23-80—Elizabeth S. Upjohn d/b/a Kalamazoo Artcraft EDC Project

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Economic Development.

Date: 12/22/80

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Planning Director Re: EDC-12-80—Walco National/Federal Forge EDC Project

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Economic Development.

Date: 12/22/80

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Planning Director

Re: ACT 38-80—Request to Purchase Miller Road ROW

ACT 41-80—200 Block Harris Street

ACT 43-80—Moores River Drive at Boston Blvd.

ACT 44-80—Clemens Street at Fernwood

ACT 45-80—Race, Maple and Factory Streets

ACT 46-80—DeKau Street Vacation

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Public Property and Safety.

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Date: 12/22/80

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Planning Director Re: LS-86-80—2911 South Deerfield

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Physical Development.

Date: 12/22/80

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Planning Director

Re: Z-34-80—Southwest corner of Dell Road and I-96

Z-36-80—4000 Block of South Cedar Street

Z-39-80—3532 West Jolly Road

Z-40-80—2300 Block of North High Street

Z-41-80—3223 West Mt. Hope Avenue
Z-42-80—3600 Block of West Jolly Road

Z-53-80—North of Skye Road

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Physical Development.

DATE: 12/30/80

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Traffic Department Re: Parking designation on E. Michigan Avenue in front of Alex's Restaurant

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Public Property and Safety.

Date: 12/22/80

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Traffic Department Re: Request for stop signs in Marscot Subdivision

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Public Property and Safety.

DATE: 12/23/80

To: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Submission of attached correspondence from the Executive Director of the Lansing Tri-County Regional Manpower Administration Re: Hiring Freeze on Title VI Program

The attached correspondence is submitted for your information.

GERALD W. GRAVES,
Mayor.

Received and placed on file.

DATE: 12/30/80

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Park Director Re: Potter Park Fee and Related Items

The attacher correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Public Property and Safety.

DATE: 12/24/80

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Submission of attached correspondence from the Chairperson, Southeast District 9 Committee Re: Potter Park

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The attached correspondence is submitted for your information.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Public Property and Safety.

DATE: 12/30/80

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Public Service Director Re: Resolution ordering construction of storm sewer on Newark Avenue from Pleasant Grove Road, westerly

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Physical Development.

DATE: 12/30/80

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Public Service Director Re: Resolution ordering the construction of storm and sanitary sewers on Curry Lane from Kaynorth St. to the west end of the street

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Physical Development.

DATE: 12/30/80

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Operations Analyst Re: Sale of vacant lot—1229 New York Avenue

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Public Property and Safety.

DATE: 12/30/80

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the City Controller Re: Financial Security—Summerhill Estates Subdivision

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Ways and Means.

DATE: 12/30/80

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Submission of attached correspondence from the Stokmark Corporation Re: Number One Block

The attached correspondence is submitted for your information.

GERALD W. GRAVES,
Mayor.

Received and placed on file.

## RESOLUTIONS

By COUNCILMEN ADADO, BELEN, BLAIR, BRENKE, GUNTHER, LINDEMANN, McKANE, WORTHINGTON—

Resolved by the City Council of the City of Lansing:

Whereas, the City of Lansing is grateful for those persons living in the community who give of themselves to enhance the quality of our lives; and

Whereas, Mr. Edwin B. Lewis is one of those special people; and

Whereas, Mr. Lewis was born in Brooklyn, New York, attended Brooklyn College, was the first manager for a young man named Rudy Vallee, and supervised the scouting portion of the New York World's Fair in 1939; and

Whereas, he served in the army during WW II, came to Michigan after the war, was married, worked in sales for Olin Mills Studios and had 5 children now living in various parts of the country; and

Whereas, since his retirement, he has worked part-time for Muscular Dystrophy

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and been instrumental in the promotion of Downtown Lansing; and

Whereas, Mr. Lewis has been the "spark-plug" for every event from bed races and Christmas concerts to St. Patrick's Day Parades and decorating Christmas trees; and

Whereas, Ed Lewis spearheaded Lansing's first Christmas Parade followed by a musical Christmas Production in the City Hall lobby, this year;

Now, Therefore, Be It Resolved, the City Council of the City of Lansing hereby applauds and pays special tribute to Mr. Edwin B. Lewis for his energy, his spirit and enthusiasm for our City and most of all for his wonderful ability to focus on the good side of every situation.

Adopted by the following vote:

Unanimously.

By ECONOMIC DEVELOPMENT COMMITTEE—

City of Lansing
County of Ingham, Michigan

RESOLUTION APPROVING ELIZABETH S. UPJOHN d/b/a KALAMAZOO ARTCRAFT PROJECT PLAN AS SUBMITTED BY THE ECONOMIC DEVELOPMENT CORPORATION OF THE CITY OF LANSING

(Pitney Bowes Project)

Minutes of a Regular Meeting of the City Council of the City of Lansing, County of Ingham, Michigan, held in said City on January 5, 1981, at 7:00 o'clock p.m., Eastern Standard Time.

Present: Councilmen Adado, Belen, Blair, Brenke, Gunther, Lindemann, McKane, Worthington.

Absent: None.

The following preamble and resolution were offered by Councilman Gunther and supported by Councilman McKane:

Whereas, there exists in the City of Lansing, County of Ingham, Michigan (the "City") the need for certain programs to alleviate and prevent conditions of unemployment and to assist and retain local industries and commercial enterprises in order to strengthen and revitalize the City's economy; and

Whereas, a program to alleviate the aforesaid conditions has been initiated by The Economic Development Corporation of the City of Lansing (the "Corporation"); and

Whereas, the Corporation in conformity with Act 338 of the Public Acts of 1974, as amended ("Act 338") has prepared and submitted a project plan, as amended, providing all information and requirements necessary for a project; and

Whereas, the Planning Commission of the City has recommended its approval to this City Council; and

Whereas, in conformity with Act 338 this City has conducted a public hearing on said project plan;

Now, Therefore, Be It Resolved:

1. The project plan, as submitted and approved by the Corporation and by City's Planning Commission meets those requirements set forth in Section 8 of Act 338.

2. The persons who will be active in the management of the project for not less than one year after approval of the project plan have sufficient ability and experience to manage the plan properly.

3. The proposed methods of financing the project as outlined in the project plan are feasible and the Corporation has the ability to arrange the financing.

4. The project as submitted is reasonable and necessary to carry out the purposes of the Act.

5. Based upon the information submitted and information obtained at public hearings, the project plan as submitted and the project to which it relates, serves to alleviate and prevent conditions of unemployment, strengthen and revitalize the City's economy, encourage the location and expansion of enterprises in the City, and, therefore, constitutes an essential, vital and necessary public purpose.

6. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same hereby are rescinded.

Ayes: Councilmen Adado, Belen, Blair, Brenke, Gunther, Lindemann, McKane, Worthington.

Nays: None.

Resolution declared adopted.

THEO FULTON,
City Clerk.

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City Council of the City of Lansing, County of Ingham, State of Michigan, at a regular meeting held on January 5, 1981, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976,

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and that the minutes of said meeting were kept and will be or have been made available as required by said Act.

THEO FULTON,
City Clerk.

By COUNCILMAN WORTHINGTON—

Resolved by the City Council of the City of Lansing:

LS-86-80
2911 South Deerfield

3301-30-402-001; more particularly described as:

Lots 562, 563 and the north ½ of Lot 564, Pleasant Grove Subdivision No. 2, located on the west ½ of the west ½ of the southeast ¼ of Section 30, T4N, R2W, Lansing Township, Ingham County, Michigan, now City of Lansing.

Whereas, Mr. and Mrs. Larry Allen have made a request to split off the south ten (10) feet of Lot 562, Pleasant Grove Subdivision No. 2 and attach it to Lot 563 for the purpose of allowing the balance of Lot 562 to be developed with a single family home; and

Whereas, the Planning Board has reviewed the request and recommends approval; and

Whereas, the Physical Development Committee has reviewed the report of the Planning Board and does concur therewith;

Now, Therefore, Be It Resolved that the Council of the City of Lansing ordains that the above described property be divided as follows:

Parcel A: Lot 562, except the south ten (10) feet thereof, Pleasant Grove Subdivision No. 2, located on the west ½ of the west ½ of the southeast ¼ of Section 30, T4N, R2W, Lansing Township, Ingham County, Michigan, now City of Lansing.

Parcel B: Lot 563 and the north ½ of Lot 564 and the south ten (10) feet of Lot 562, Pleasant Grove Subdivision No. 2, located on the west ½ of the west ½ of the southeast ¼ of Section 30, T4N, R2W, Lansing Township, Ingham County, Michigan, now City of Lansing; and

Be It Further Resolved that the City Clerk be, and she is hereby, directed to notify the applicant of this approval. The applicant, however, stipulates and understands that the lot split as granted by the City of Lansing does not necessarily mean that the applicant may proceed with the division of the property.

The applicant further understands that there may be some private restrictions contained in his deed for plat restrictions which may or may not be required with the Registered of Deeds, which may run with the land. The applicant further understands that the City does not have the power or authority over these restrictions

Adopted by the following vote:

Unanimously.

By COUNCILMAN WORTHINGTON—

Resolved by the City Council of the City of Lansing:

P-12-80
Westwood Park Subdivision No. 2
Preliminary Plat

Whereas, the preliminary plat of Westwood Park Subdivision No. 2 has been submitted for final approval; and

Whereas, the Planning Department, in accord with the provisions of Section 37-8 (5) of the Lansing Subdivision Regulations Ordinance, has reviewed this application and recommended approval thereof; and

Whereas, the Physical Development Committee of City Council has reviewed the report of the Planning Department and concurs therewith;

Now, Therefore, Be It Resolved that the preliminary plat of Westwood Park Subdivision No. 2 be given final approval subject, however, to all conditions as set forth by the City Council at the time of tentative preliminary approval.

Adopted by the following vote:

Unanimously.

By COUNCILMAN WORTHINGTON—

Whereas, it is deemed desirable to amend the Classification provided for in the Zoning Code of the City of Lansing, passed on the 13th day of November, 1958, in the following particulars, viz:

That property described as:

Z-34-80—N.W. corner of Dell Road and I-96,

be rezoned from "A" One Family Residential District to "DM" Multiple Family Dwelling District and the "Map" be changed to indicate such transfer;

Therefore, Be It Resolved, that the City Clerk shall give at least fifteen days notice of a Public Hearing when all persons interested may attend and make any objec-

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tions they may have to such proposed changes in said Zoning Code.

Resolved Further, that such hearing shall be held at the Council Chamber in the City Hall on the 26th day of January, 1981, at 7:00 o'clock p.m., and that notice of such hearing be published in the official publication of said city, as required by law.

Adopted by the following vote:

Unanimously.

By COUNCILMAN WORTHINGTON—

Whereas, it is deemed desirable to amend the Classification provided for in the Zoning Code of the City of Lansing, passed on the 13th day of November, 1958, in the following particulars, viz:

That property described as:

Z-36-80—4000 block S. Cedar Street,

be rezoned from "J" Parking, "F" Commercial, "E-1" Drive-In Shop and "A" One Family Residential Districts to "F" Commercial District and the "Map" be changed to indicate such transfer;

Therefore, Be It Resolved, that the City Clerk shall give at least fifteen days notice of a Public Hearing when all persons interested may attend and make any objections they may have to such proposed changes in said Zoning Code.

Resolved Further, that such hearing shall be held at the Council Chamber in the City Hall on the 26th day of January, 1981, at 7:00 o'clock p.m., and that notice of such hearing be published in the official publication of said city, as required by law.

Adopted by the following vote:

Unanimously.

By COUNCILMAN WORTHINGTON—

Whereas, it is deemed desirable to amend the Classification provided for in the Zoning Code of the City of Lansing, passed on the 13th day of November, 1958, in the following particulars, viz:

That property described as:

Z-39-80—3532 W. Jolly Road,

be rezoned from a "CUP" Community Unit Plan District to a "DM" Multiple Family Dwelling District and the "Map" be changed to indicate such transfer;

Therefore, Be It Resolved, that the City Clerk shall give at least fifteen days notice of a Public Hearing when all persons interested may attend and make any objections they may have to such proposed changes in said Zoning Code.

Resolved Further, that such hearing shall be held at the Council Chamber in the City Hall on the 26th day of January, 1981, at 7:00 o'clock p.m., and that notice of such hearing be published in the official publication of said city, as required by law.

Adopted by the following vote:

Unanimously.

By COUNCILMAN WORTHINGTON—

Whereas, it is deemed desirable to amend the Classification provided for in the Zoning Code of the City of Lansing, passed on the 13th day of November, 1958, in the following particulars, viz:

That property described as:

Z-40-80—2300 block N. High Street,

be rezoned from "B" One Family Residential District to "J" Parking District and the "Map" be changed to indicate such transfer;

Therefore, Be It Resolved, that the City Clerk shall give at least fifteen days notice of a Public Hearing when all persons interested may attend and make any objections they may have to such proposed changes in said Zoning Code.

Resolved Further, that such hearing shall be held at the Council Chamber in the City Hall on the 26th day of January, 1981, at 7:00 o'clock p.m., and that notice of such hearing be published in the official publication of said city, as required by law.

Adopted by the following vote:

Unanimously.

By COUNCILMAN WORTHINGTON—

Whereas, it is deemed desirable to amend the Classification provided for in the Zoning Code of the City of Lansing, passed on the 13th day of November, 1958, in the following particulars, viz:

That property described as:

Z-41-80—3223 W. Mt. Hope Avenue,

be rezoned from "A" One Family Residential District to "DM-1" Multiple Family Dwelling and "C" Two Family Residential Districts and the "Map" be changed to indicate such transfer;

Therefore, Be It Resolved, that the City Clerk shall give at least fifteen days notice of a Public Hearing when all persons interested may attend and make any objections they may have to such proposed changes in said Zoning Code.

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Resolved Further, that such hearing shall be held at the Council Chamber in the City Hall on the 26th day of January, 1981, at 7:00 o'clock p.m., and that notice of such hearing be published in the official publication of said city, as required by law.

Adopted by the following vote:

Unanimously.

By COUNCILMAN WORTHINGTON—

Whereas, it is deemed desirable to amend the Classification provided for in the Zoning Code of the City of Lansing, passed on the 13th day of November, 1958, in the following particulars, viz:

That property described as:

Z-53-79—North of Skye Road,

be rezoned from a "CUP" Community Unit Plan District to a revised "CUP" Community Unit Plan District and the "Map" be changed to indicate such transfer;

Therefore, Be It Resolved, that the City Clerk shall give at least fifteen days notice of a Public Hearing when all persons interested may attend and make any objections they may have to such proposed changes in said Zoning Code.

Resolved Further, that such hearing shall be held at the Council Chamber in the City Hall on the 26th day of January, 1981, at 7:00 o'clock p.m., and that notice of such hearing be published in the official publication of said city, as required by law.

Adopted by the following vote:

Unanimously.

By COUNCILMAN WORTHINGTON—

Whereas, it is deemed desirable to amend the Classification provided for in the Zoning Code of the City of Lansing, passed on the 13th day of November, 1958, in the following particulars, viz:

That property described as:

Z-42-80—3600 block W. Jolly Road,

be rezoned from "A" One Family Residential District to "F" Commercial District and the "Map" be changed to indicate such transfer;

Therefore, Be It Resolved, that the City Clerk shall give at least fifteen days notice of a Public Hearing when all persons interested may attend and make any objections they may have to such proposed changes in said Zoning Code.

Resolved Further, that such hearing shall be held at the Council Chamber in the City Hall on the 26th day of January, 1981, at 7:00 o'clock p.m., and that notice of such hearing be published in the official publication of said city, as required by law.

Adopted by the following vote:

Unanimously.

## REMARKS BY THE MAYOR

Mayor Graves spoke relative Walco/Federal Forge Project and another project forthcoming.

## REMARKS BY THE CITY COUNCIL

Councilman Worthington asked about lack of snow removal over week-end. Mayor Graves responded.

Councilman Blair asked about snow removal.

Mrs. Lazar and Mr. McCaffery responded.

Mildred Ceaser, 1436 Ada St., South Central Neighborhood Association, spoke and thanked Mayor and Council for their help on the "Tot Lot" that was acquired.

By COUNCILMAN BRENKE—

That this meeting stand adjourned.

Carried.

Council adjourned at 8:00 p.m.

THEO FULTON,
City Clerk.

Lansing, Michigan

January 5, 1981

F/B

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CITY CLERK'S OFFICE
Room 921, City Hall
Lansing, Michigan 48933

Address Correction Requested

BULK RATE
U. S. POSTAGE
PAID
Permit No. 1461
Lansing, Michigan



# OFFICIAL PROCEEDINGS OF
# THE CITY COUNCIL
## OF THE CITY OF LANSING

## Proceedings, January 12, 1981

Lansing, Michigan

January 12, 1981

### CITY COUNCIL ROOMS

The City Council of the City of Lansing, Michigan, met in regular session and was called to order by President Belen.

Present: Councilmen Adado, Belen, Brenke, Gunther, Lindemann, McKane, Worthington—7.

Absent: Councilman Blair—1.

The Clerk announced that a quorum of the Council was present.

Invocation was given by Councilman McKane.

Pledge of Allegiance was led by Councilman McKane.

By COUNCILMAN ADADO—

That the Council Proceedings of December 22, 1980, be approved.

Carried.

### PUBLIC HEARING

January 12, 1981, at 7:00 o'clock being the time set as the time for holding a public hearing on the proposed Potter Park Policies and Programs.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed policies they had the privilege of speaking at this time.

The following persons spoke:

Ellen Lundbergh, 936 Mel Avenue—President of the Friends of the Zoo, spoke and read statements.

Harold Crowe, 1504 Lindbergh Dr., Chairman of Advisory Committee, spoke.

Paul Thielke, 1141 McCullough St., member of the Citizens District Council No. 2, made statement and read letter from Dixie Pemberton.

Mike Mitchell, 721 N. Foster St., member of Park Board, spoke.

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Priscilla Holmes, 220 Reo Avenue, spoke for Citizens Coordinating Council.

Gary Andrews, 560 Brookland Blvd.

Gene Mellon, Citizens Coordinating Council.

Referred to Committee on Public Properties and Safety.

**THE PUBLIC MAY NOW ADDRESS THE CITY COUNCIL ON ANY OF THE FOLLOWING ITEMS LISTED ON THE AGENDA: COMMUNICATIONS AND PETITIONS, COMMITTEE REPORTS, REPORTS OF CITY OFFICERS AND BOARDS AND RESOLUTIONS. YOU MAY SPEAK ONLY FOR 3 MINUTES ON ANY ONE ITEM.**

Resolution 4b pulled from agenda.

Michael Seward, Secretary of Lansing Regional Chamber of Commerce, spoke on Resolution 4c—General Motors Corp.

Susan Eby, 130 Island, spoke relative snow removal policy re plowing snow between 8-5.

Larry Parker, 1416 New York Ave., spoke re: plowing snow between 8-5.

## COMMUNICATIONS AND PETITIONS

The following applications and bonds have been filed for licenses:

PUBLIC DRIVER—
James Lewis Bancroft.

WRECKER SERVICE—
Martin Bros. Towing.

Referred to Committee on General Services.

Summons and Complaint for Ex Parte and Preliminary Injunction filed in Circuit Court by Capitol City Lodge No. 141 of the Fraternal Order of Police and Jerry Lawson vs. The City of Lansing and City of Lansing Police Department in regard to employee matter.

Referred to Mayor, City Attorney.

Claim filed by Keith G. Smith for damage to his automobile due to hitting a protruding piece of pavement in street at Cedar St. and Edgewood Blvd.

Referred to Mayor, City Attorney.

Fred White Engineering Company submits proposed preliminary plat of Capitol Commons.

Referred to Mayor, Planning Board.

The Roary Corporation submits preliminary plat of Midfield Subdivision.

Referred to Mayor, Planning Board.

Application for a Commercial Redevelopment District—ACT-255 for Michigan Optometric Association at 524-526-528 W. Ionia St. and 300-310-314-316 N. Pine St.

Referred to Mayor, Economic Development Board, Committee on Economic Development.

Requests filed for special 24-hour liquor permits for:

The Department of Michigan, Veterans of Foreign Wars—January 31, 1981—National Guard Armory.

Fisher Body Women's Club—February 7, 1981—National Guard Armory.

Referred to Mayor, Committee on General Services.

Letter from the Friends of the Zoo Society relative submitting evaluations and recommendations on the Potter Park Policies.

Referred to Mayor, Committee on Public Property and Safety.

State of Michigan, Department of Natural Resources submits flood plain permits for:

Mr. Vernon L. Sayers.

R. E. Olds Museum Association, Inc.

Received and placed on file.

Copy of letter sent to the HELP Department of the State Journal by George E. Fulton in connection with letter sent to Council on December 4, 1980, relative condition that exists along his property due to wall of dirt left during construction program.

Referred to Mayor.

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Letters received from Robert Pulmateer commending the City Council and the City Clerk.

Received and placed on file.

Michigan Municipal League submits Special Information Bulletin.

Received and placed on file.

## MAYOR'S EXECUTIVE ASSISTANT COMMENTS ON ANY ITEM ON THE AGENDA

No comment.

## REPORTS OF COMMITTEES

The COMMITTEE ON GENERAL SERVICES approves the following applications and bonds for licenses:

PUBLIC DRIVER—
James Lewis Bancroft.

WRECKER SERVICE—
Martin Bros. Towing.

Signed:

WILLIAM A. BRENKE,
PAT LINDEMANN,
TERRY J. McKANE,
Committee on General Services.

By COUNCILMAN BRENKE—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

The COMMITTEE ON WAYS AND MEANS, to whom was referred the letter from the City Controller requesting release of Financial Security, Summerhill Estates Subdivision, reports as follows:

The $320.00 in financial security may be released pursuant to Section 37-25(1) of Chapter 37 of the Code of Ordinances of the City of Lansing. The City will retain $2,100.00 in financial security to cover public improvements not yet completed.

Signed:

TERRY J. McKANE,
WILLIAM A. BRENKE,
JACK D. GUNTHER,
Committee on Ways and Means.

By COUNCILMAN McKANE—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

The COMMITTEE ON PUBLIC PROPERTIES AND SAFETY, to whom was referred the request to install stop signs within Marscot Subdivision on Norburn Way, Marscot Drive and Lerner Way at Waycross Drive, reports as follows:

That we concur with the recommendation of the Mayor and Traffic Board to deny the request for stop signs. Instead, speed limit enforcement should be given special attention by the Police Department during warm weather months.

Signed:

PAT LINDEMANN,
SIDNEY P. WORTHINGTON,
Committee on Public Properties and Safety.

By COUNCILMAN LINDEMANN—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

The COMMITTEE ON PUBLIC PROPERTIES AND SAFETY, to whom was referred the ACT-38-80, a request to purchase Miller Road right-of-way west of Waverly Road, reports as follows:

That we concur in the recommendations of the Mayor and Planning Board to deny this request. Sale of this property would effectively prohibit any future wastward extension of Miller Road. However, should re-examination at a later date indicate that such extension is either not needed or needed in an alternative location, the current right-of-way should be offered to the petitioner and other adjacent property owners.

Signed:

PAT LINDEMANN,
SIDNEY P. WORTHINGTON,
Committee on Public Properties and Safety.

By COUNCILMAN LINDEMANN—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

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The COMMITTEE ON PUBLIC PROPERTIES AND SAFETY, to whom was referred the ACT-41-80, the proposed vacation of right-of-way in the 200 block of Harris Street, reports as follows:

That we concur in the recommendation of the Mayor and Planning Board to deny this proposal from the Property Manager. The west 100 feet of Harris Street should be closed to vehicle traffic while maintaining pedestrian access to St. Therese School. This will also retain access to an 89-inch storm sewer in the right-of-way, as requested by the Public Service Department.

Signed:

PAT LINDEMANN,
SIDNEY P. WORTHINGTON,
Committee on Public
Properties and Safety.

By COUNCILMAN LINDEMANN—

That the report of the Committee be

Adopted by the following vote:
adopted.

Unanimously.

The COMMITTEE ON PUBLIC PROPERTIES AND SAFETY, to whom was referred the ACT-44-80, request to purchase a seven-foot strip of City property adjacent to 434 N. Clemens Street, reports as follows:

That we concur with the recommendation of the Mayor and Planning Board to deny the request to purchase this property. The petitioner should be granted an easement for the strip on the condition that no permanent structure may be constructed thereon.

Signed:

PAT LINDEMANN,
SIDNEY P. WORTHINGTON,
Committee on Public
Properties and Safety.

By COUNCILMAN LINDEMANN—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

## REPORTS OF CITY OFFICERS AND BOARDS

January 8, 1981

Mayor Gerald W. Graves,

Council President Lucile Belen
and City Council Members

Re: Cutler Plastics EDC Project

Dear Mayor Graves and Council Members:

We are forwarding to you a resolution approved by the Lansing Economic Development Corporation Board of Directors of action taken at a regular meeting held on January 7, 1981, approving the Resolution of Inducement, Designation of Project Area and Designation of Bond Counsel. Therefore, it will be necessary for you to appoint two (2) Temporary Directors to this project.

As stated in the Resolution, the applicant proposes that the EDC finance the project located at 5511 Enterprise Drive, Lansing, Michigan 48910, and consisting primarily of six (6) CS-90 Bekum blow molding machines together with ancillary machinery and equipment necessary or useful in the manufacture and production of polypropylene jars. The applicant is asking for Two Million Dollars ($2,000,000) in EDC bonds. The applicant also anticipates that the project will create approximately sixty (60) new manufacturing jobs.

The Economic Development Corporation is in the process of developing a Project Plan to be presented to you at a future date.

Also, inasmuch as there is no residential area to be affected by the Project Plan, we believe that it is not necessary to establish a Project Citizens District Council.

Sincerely yours,

EMERSON B. OHL,
Executive Director.

Referred to Committee on Economic Development.

January 7, 1981

Honorable Council President Lucile Belen
and Members of the Lansing City Council

10th Floor, City Hall

Lansing, Michigan 48933

Dear Council President and Members::

Be advised that Mr. Arthur T. Carney, until recently an employee of the City of East Lansing, has been appointed as the Deputy Personnel Director for the City of Lansing. Mr. Carney's more than 25 years of experience in municipal government are anticipated to be of great value to the Personnel Department and to the City of Lansing municipal government.

Sincerely,

GERALD W. GRAVES,
Mayor.

Received and placed on file.

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January 7, 1981

Honorable Council President Lucile Belen
and Members of the Lansing City Council

10th Floor, City Hall

Lansing, Michigan 48933

Dear Council President and Members:

Be advised that David A. Berridge has been appointed as Traffic Engineer for the City of Lansing. The selection process involved Howard McCaffery, Public Service Director, former Traffic Engineer Raymond Severy, as well as members of the Traffic Board.

Mr. Berridge has both a B.S. and an M.S. degree in Civil Engineering from Michigan State University, and has extensive additional training in Traffic Engineering. He has been employed by the Michigan Department of Transportation for the past four years. He has considerable experience in the application of computers to traffic engineering, and in the design of traffic safety improvements.

Mr. Berridge is a member of the Institute of Transportation Engineers and of Chi Epsilon Honor Fraternity. He resides in Lansing at 208 E. Edgewood Road with his wife and two children.

Sincerely,

GERALD W. GRAVES,
Mayor.

Received and placed on file.

DATE: 1/7/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Submission of attached correspondence from New Lansing, Inc. Re: Interest in J. W. Knapp building

The attached correspondence is submitted for your information.

GERALD W. GRAVES,
Mayor.

Received and placed on file.

DATE: 1/8/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Chairman, Citizens' District Council No. 1 Re: Demolition of 1203 and 1219 W. Lenawee

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Public Property and Safety.

DATE: 1/8/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Submission of attached correspondence from the Chairman, Citizens' District Council No. 1 Re: Amendment to Neighborhood Development Plan No. 1

The attached correspondence is submitted for your information.

GERALD W. GRAVES,
Mayor.

Received and placed on file.

January 12, 1981

Honorable Council President Lucile Belen
and Members of the Lansing City Council

10th Floor, City Hall

Lansing, Michigan 48933

Dear Council President and Members:

Questions have been raised as to why the City of Lansing's Public Service Department did not plow the local streets during the New Year weekend period between Wednesday, December 31, 1980, and Sunday, January 4, 1981.

The decision not to plow the local streets during the above period was based on the following reasons:

1. Wages would have to be paid at 1½ times the regular rate for Thursday and Friday due to holidays, and on Saturday 1½ times the regular rate and 2 times the regular rate on Sunday in accordance with the L.I.E.U. agreement.

2. All streets within the City had been plowed at least once by 4:00 p.m. on Tuesday, December 30, 1980, as a result of the 4.5 inch snow received early Monday morning, December 29, 1980. Eight hours in overtime was authorized to complete the plowing.

3. All trunklines and major streets on the salt routes had been plowed by 6:00 p.m. on Wednesday, December 31, 1980, as a result of the 4.4 inch snow received this date. Local streets were not plowed.

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4. All Federal, State and City government offices were closed during the above period. The Lansing School District, Lansing Community College and Michigan State University, Oldsmobile and Fisher Body operations were closed during this period.

5. Supervisors made attempts to call 25 employees and only 7 employees were willing to report to work on January 1, 1981, to salt trunklines and major streets. In order to plow local streets with full crew, it requires a minimum of 51 employees.

6. The snow removal budget accounts were approved for snow removal operations through the entire winter. At least 12 weeks remain that may require snow removal in larger amounts than what has been received to date.

7. Due to the recent L.I.E.U. settlements, the Act 51 budget accounts require mid-year transfers in the amount of $87,730 due to higher wages and fringe benefits received.

8. Revenues from Act 51—Gasoline and Weight Taxes from the State of Michigan are 9.50% less than estimated and are estimated to be 3% less next year.

9. Due to the snow that had fallen on Monday, December 29—4.5 inches, which was plowed, and the snow on Wednesday which was not plowed, the Public Service Department incurred expenses in excess of $61,000. To authorize the remaining streets, including all the local streets to be plowed, would have cost the City of Lansing an additional $38,520, which includes wages and fringe benefits in the amount of $17,580. Fifteen percent of the total snow removal budget would have been expended in one week with 12 weeks of winter weather remaining.

During the past week the Public Service Department commenced plowing local streets on Monday, January 5, 1981, during the regular work day. By Tuesday, at 4:00 p.m., approximately 90% of the local streets had been plowed. On Tuesday, January 6, 1981, the City received another snowfall in the amount of 2 inches which necessitated replowing the local streets again. Attempts by the supervisors to contact employees to come in early in the morning to salt trunklines and major streets were made. Thirty-one telephone attempts were made before 9 employees were reached that were willing to work prior to the normal work day. Plowing of all streets including sidewalks were completed by Friday, January 9, 1981, at 12:00 noon.

In an attempt to compensate for the decline in the Act 51 revenues and the increased cost of wages, fringe benefits, materials and equipment rental rates, the Administration has stated that local streets would be plowed only during regular work week hours when possible. If the City of Lansing should receive snowfalls in excessive amounts that it should make the local streets impassable, overtime shall be authorized to clear the streets.

Sincerely,

GERALD W. GRAVES,
Mayor.

Referred to Committee on Ways and Means.

## RESOLUTIONS

By ECONOMIC DEVELOPMENT COMMITTEE—

Resolved by the City Council of the City of Lansing:

Be It Resolved that the Council of the City of Lansing concurs with the Mayor's reappointment of William J. Porter, Jr., to the Board of Directors of the Economic Development Corporation for a six-year term expiring in February 1987, and hereby confirms said reappointment.

Adopted by the following vote:

Unanimously.

By COUNCILMAN WORTHINGTON—

Resolved by the City Council of the City of Lansing:

Whereas, a public hearing was held on September 23, 1980, to provide citizens of the City of Lansing the opportunity to indicate needs, express preferences and assist in the selection of priorities for use of CDBG funds for the fiscal year commencing July 1, 1981, and ending June 30, 1982; and

Whereas, on December 16, 1980, a public hearing was held on CDBG programs and budget for the Fiscal Year 1982 and were approved by the Lansing Planning Board during the public meeting; and

Whereas, on December 30, 1980, the Mayor of the City of Lansing submitted the proposed programs and budget for the Fiscal Year 1982 CDBG Application to the City Council; and

Whereas, the City Council is preparing to make its final decision on the proposed Fiscal Year 1982 CDBG Application; it is necessary to establish a public hearing date to receive public comment on the proposed application; and

Now, Therefore, Be It Resolved that a public hearing be held by City Council in the City Council Chambers on January 26, 1981, for the purpose of receiving public comment on the Mayor's proposed programs and budget for the Seventh Year CDBG application followed by the consideration

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of them on February 2, 1981, prior to submission for A-95 review on February 27, 1981.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PUBLIC PROPERTIES AND SAFETY—

Resolved by the City Council of the City of Lansing:

Whereas, up to 200 cars per weekday park on unpaved City property west of Cedar Street, south of City Market; and

Whereas, the City could be liable for any damage or injuries that may occur if this unauthorized parking is allowed to continue; and

Whereas, the City Attorney, the Traffic and Parking Division, and the Mayor recommend that parking be prohibited in this area;

Now, Therefore, Be It Resolved, the Lansing City Council hereby prohibits parking within the area bounded by Cedar Street on the east, Mill Street on the north and west, and Ottawa Street on the south; and

Be It Further Resolved, the Administration is requested to enforce this prohibition.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PUBLIC PROPERTIES AND SAFETY—

Resolved by the City Council of the City of Lansing:

Whereas, the Lansing City Council has established a policy regarding the disposition of vacant lots in Neighborhood Development Areas; and

Whereas, Section 8-403.4 of the City Charter of the City of Lansing requires that City Council approve proposed sales of real estate,

Now, Therefore, Be It Resolved by the Lansing City Council that the following proposed sale be and is hereby approved:

To Leo H. Horstman, Sr., and Mildred C. Horstman, husband and wife, the property legally described as the South 16.5 feet of Lot 13, Highland Park, City of Lansing, Ingham County, Michigan. (Commonly known as the south half of 1229 New York Avenue, No. 3301-10-176-311-7).

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PUBLIC PROPERTIES AND SAFETY—

Resolved by the City Council of the City of Lansing:

Whereas, Alex's Restaurant has closed subsequent to purchase by the City, and valet parking for patrons has therefore ended; and

Whereas, consistent with City Council actions on East Michigan Avenue parking, the Traffic Board and Mayor have recommended installation of parking meters in the space in front of Alex's formerly used for valet parking;

Now, Therefore, Be It Resolved, the Lansing City Council hereby approves two-hour metered parking on the north side of East Michigan Avenue from Cedar Street to the Michigan Avenue Bridge.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PUBLIC PROPERTIES AND SAFETY—

Resolved by the City Council of the City of Lansing:

Whereas, the Property Manager has proposed the disposal of two City-owned parcels at the intersection of Moores River Drive and Boston Boulevard; and

Whereas, the Planning Board and Mayor have recommended retention of the property due to building limitations caused by topography, shape and size, as well as a utility easement that must be retained; and

Whereas, the Committee on Public Properties and Safety, recognizing the costs associated with continuing maintenance of this property by the City, recommends that these parcels be offered for sale to the adjacent property owners with appropriate deed restrictions to prohibit development and retain easements;

Now, Therefore, Be It Resolved, the Lansing City Council authorizes the Administration to offer these two parcels, referred to as ACT-43-80, to adjacent property owners with deed restrictions to prohibit any construction on this land, including fencing, and to retain all necessary easements; and

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Be It Further Resolved that, in the event the offer is refused by the adjacent property owners, the land shall be retained by the City and jurisdiction be transferred to the Parks Department so that proper maintenance may be programmed.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PUBLIC PROPERTIES AND SAFETY—

Resolved by the City Council of the City of Lansing:

ACT-46-80

DeKau Street Vacation

Whereas, the Mayor and Planning Board have recommended approval of the vacation of right-of-way for DeKau Street, and transfer of the property by deed to the Lansing School District, which is the adjacent property owner,

Now, Therefore, Be It Resolved, the Lansing City Council hereby approves the vacation of DeKau Street between Newark Avenue and Woodgate Drive, with the deed for such property to be transferred to the Lansing School District according to State law, so that the land will continue to be used as playground space for Maple Grove Elementary School.

Adopted by the following vote:

Unanimously.

By ECONOMIC DEVELOPMENT COMMITTEE—

CITY OF LANSING
RESOLUTION APPROVING PROJECT PLAN

(Walco/Federal Forge Project)

An excerpt from the minutes of a regular meeting of the City Council of the City of Lansing, Counties of Ingham, Clinton and Eaton, Michigan, held in Lansing City Hall at 7:00 o'clock p.m., Michigan Time, on January 12, 1981, at which the following members were present:

Councilmen Adado, Belen, Brenke, Gunther, McKane, Lindemann, Worthington; and the following were absent:

Councilman Blair.

The following preamble and resolution were offered by Councilman Gunther and supported by Councilman Adado:

Whereas, pursuant to and in accordance with the Economic Development Corporations Act, Act 338 of the Public Acts of 1974, as amended (the "EDC Act"), the Lansing City Planning Board and the Economic Development Corporation for the City of Lansing (the "EDC") have heretofore submitted their findings and recommendations for approval of the Walco/Feleral Forge Project Plan (a copy of which is on file with the Lansing City Clerk) for the project proposed by the EDC; and

Whereas, this City Council has given due consideration to the findings and recommendations of the Lansing City Planning Board and the EDC prior to consideration of this Resolution; and

Whereas, this City Council has given notice pursuant to and in compliance with the EDC Act of a public hearing which was held heretofore in accordance with the EDC Act therein made and provided; and

Whereas, at said public hearing, the fullest opportunity was given for expression of opinion, for argument on the merits, and for introduction of documentary evidence pertinent to the Project Plan, and further, this City Council has given due consideration to all communications received in writing with reference thereto; and

Whereas, this City Council made and preserved a record of the public hearing, including all data presented thereat; and

Whereas, this City Council desires to express its approval of said Project Plan and the Project described therein, and wishes to request the Economic Development Corporation of the City of Lansing to proceed with such Project and the financing thereof; and

Whereas, Federal Forge, Inc., and its parent Walco National Corporation (collectively referred to as "Applicant") has advised that the Project is to be financed by the issuance of limited obligation revenue bonds to be issued and sold by the EDC to a single institutional investor as a private placement. The bonds will be payable solely out of rentals received by the EDC from Applicant and such bonds will not be a general obligation of either the City of Lansing or the EDC. Applicant has advised that the amount of bonds will not exceed $4,500,000 that the term of the bonds will be three (3) years and that the interest rate will be 65% of the prime rate of interest of Mellon Bank, N.A. Walco National Corporation will guaranty repayment of the bonds. It is expected that the institutional investor will not require a mortgage of the Project as security; and

Whereas, the Project will be leased and sold to Federal Forge, Inc., or its parent, Walco National Corporation.

Now, Therefore, It Is Hereby Resolved by the City Council of the City of Lansing, as follows:

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1. It is hereby determined that the Walco/Federal Forge Project Plan prepared by The Economic Development Corporation of the City of Lansing constitutes a public purpose of the City of Lansing and said Project Plan is hereby approved as presented on this date based on the following considerations:

(a) the findings and recommendations of the City of Lansing Planning Board;

(b) that the Plan meets the requirements set forth in Section 8 of Act 338 of 1974, as amended;

(c) the persons who will be active in the management of the Project for not less than one year after the approval of the Project Plan have sufficient ability and experience to manage the Plan properly;

(d) the proposed method of financing the Project is feasible and The Economic Development Corporation has the ability to arrange the financing; and

(e) the Project is reasonable and necessary to carry out the purposes of Act 338 of 1974, as amended.

2. The Economic Development Corporation of the City of Lansing is hereby requested to proceed with the issuance of bonds to finance the acquisition of the Project.

3. All resolutions or parts thereof in conflict with this Resolution are hereby repealed, but only to the extent of such conflict.

Adopted:

Yeas: Councilmen Adado, Belen, Brenke, Gunther, Lindemann, McKane, Worthington.

Nays: None.

Abstentions: None.

Absent: Councilman Blair.

STATE OF MICHIGAN }
COUNTY OF INGHAM } ss.

I hereby certify that the foregoing is a true and complete copy of a resolution adopted at a regular meeting of the City Council of the City of Lansing, Counties of Ingham, Eaton and Clinton, Michigan, held on the 12th day of January, 1981, and that the said resolution is on file in the office of the City Clerk and are available to the public. (Note: see addition to this certificate as contained in Resolution Setting Hearing date.)

THEO FULTON,
Lansing City Clerk.

Adopted by the following vote:

Unanimously.

By ECONOMIC DEVELOPMENT COMMITTEE—

Resolved by the City Council of the City of Lansing:

Whereas, by petition duly filed December 4, 1980, this Council was petitioned to establish a Lansing Industrial Development District IPR-8-80, pursuant to Act 198, 1974, being Section 207.551 to 207.571 M.C.L.; and

Whereas, due notice has been given for a public hearing on said petition; and

Whereas, at such hearing held on the 22nd day of December, 1980, all parties interested therein were heard and given due consideration; and

Whereas, the property involved is commonly known as the Oldsmobile Plant I manufacturing complex, more particularly described as:

The District is described as commencing at a point of beginning at the northeast outside corner of Oldsmobile's Building 62 on Olds Avenue; thence southerly 160 feet; thence easterly 140 feet; thence southerly 75 feet; thence easterly 50 feet; thence southerly 240 feet to a point on the south R.O.W. line of Elm Street; thence easterly 460 feet along the south R.O.W. line of Elm Street; thence southerly 55 feet; thence southwesterly 353.9 feet, following the west bank of the Grand River; thence southerly 491.8 feet along the west bank of the river to a point on the north R.O.W. line of the Grand Trunk Railroad; thence westerly 2270 feet along said railroad R.O.W.; thence northerly 530 feet along the west outside wall of Buildings 27C, 27A, 27D and 41; thence easterly 60 feet along the south building line of Building 37A to the southeast corner of Building 37A; thence northerly 370 feet along the west wall of Building 37 to the northwest corner of Building 37; thence westerly 24 feet; thence northerly 565 feet along the east R.O.W. line of Division St.; thence easterly 630 feet to a point on the west R.O.W. line of Pine Street; thence southerly 110 feet along the west R.O.W. line of Pine Street to a point on the south R.O.W. line (extended) of Olds Avenue; thence easterly 990 feet along the south R.O.W. line of Olds Avenue to the point of beginning.

Petitioner: Oldsmobile Division of General Motors Corporation.

Property: Personal Property.

Now, Therefore, Be It Resolved that a Lansing Industrial Development District IPR-8-80 hereby be established on the above described property.

Adopted by the following vote:

Unanimously.

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By ECONOMIC DEVELOPMENT COMMITTEE—

Resolved by the City Council of the City of Lansing:

Whereas, the Council of the City of Lansing may certify that Article III of Chapter 23 of the Code of Ordinances of the City of Lansing and Act No. 346 of the Public Acts of 1966, as amended, the State Housing Development Authority Act of 1966 (hereinafter the "Act"), shall specifically provide tax exemption to sponsors who construct housing for elderly persons of low-income pursuant to the Act; and

Whereas, the Don-Lee Limited Dividend Housing Association (hereinafter the "Sponsor") has constructed a housing development identified as Southbrook Villa (hereinafter the "Development") with mortgage financing through the Michigan State Housing Development Authority (hereinafter "MSHDA") and operates said Development on property in the City of Lansing described as follows:

All of Lot 9, Plat of Kahres Farm, a subdivision on the Northeast ¼ of Section 9, and the West ½ of Section 10, T3N, R2W, City of Lansing, Ingham County, Michigan, according to the recorded plat thereof.

Whereas, the Development is intended to serve elderly persons of low income, and the Sponsor has offered to pay the City on account of the Development an annual service charge for public services in lieu of taxes in accordance with the provisions of Article III of Chapter 29 of the Code of Ordinances of the City of Lansing; and

Whereas, it has been determined that the Development is of the class of housing developments that are eligible for tax exemption, pursuant to the provisions of the Act and Article III of Chapter 29 of the Code of Ordinances of the City of Lansing;

Now, Therefore, Be It Resolved that the Development and the property upon which it is located, shall be exempt from all property taxes and the Sponsor shall pay a service charge in lieu of taxes pursuant to the requisite provision of Article III of Chapter 29 of the Code of Ordinances of the City of Lansing. The tax exempt status of the Development granted pursuant to the Act and Article III of Chapter 29 of the Code of Ordinances of the City of Lansing, shall remain in effect and shall not be terminated so long as the Mortgage Loan for the housing development remains outstanding and unpaid, or MSHDA has any interest in the property; and

Be It Further Resolved, that, notwithstanding the provisions of Section 15(a)(5) of the Act, a contract between the City and the Sponsor with MSHDA as third party beneficiary thereunder, to provide tax exemption and provide for the payment of a service charge in lieu thereof, pursuant to the provisions of Article III of Chapter 29 of the Code of Ordinances of the City of Lansing and the State Housing Development Authority Act of 1966 (Act No. 346 of the Public Act of 1966, as amended), is effectuated by the adoption of this Resolution.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON WAYS AND MEANS—

Resolved by the City Council of the City of Lansing:

Whereas, the City Council's adopted policy states that all adult athletic leagues must generate sufficient revenue to pay for the total cost of all officials required to conduct each specific program; and

Whereas, the Volleyball Club Program is now included among adult athletic leagues; and

Whereas, the current method of affixing fees for the Volleyball Club Program differs from other adult athletic programs by charging a participant fee rather than a team fee; and

Whereas, this method is inequitable to clubs with more than the minimum number of participants needed to cover program costs;

Now, Therefore, Be It Resolved, the Lansing City Council hereby reaffirms the Volleyball Club Program's status as an adult athletic league and modifies the fee structure for the Volleyball Club Program as follows:

1. Each Volleyball Club shall pay $150 to the City of Lansing to cover the cost of officials for the duration of the session.

2. Each Volleyball Club assigned to a facility which charges rent to the City of Lansing shall reimburse the City for such rental costs.

and

Be It Further Resolved, individual participant fees already paid toward the current session shall be prorated to the new fee structure, and the Parks Department, in cooperation with the Controller's Division, is requested to make all adjustments necessary to align clubs to the new fee structure, and to notify each participating club of these changes.

Adopted by the following vote:

Unanimously.

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By WAYS AND MEANS COMMITTEE—

Resolved by the City Council of the City of Lansing:

Whereas, the City of Lansing operates a highly specialized emergency response system through its 9-1-1 program, and

Whereas, the 9-1-1 staff are guaranteed by contract certain periods for lunch and rest breaks, and

Whereas, the number of personnel available to operate the 9-1-1 system 7 days a week, 24 hours a day, has prevented staff from being able to take their contractually set breaks, and

Whereas, the Mayor and Administration have recommended a course of action to immediately remedy this situation,

Now, Therefore, Be It Resolved, that the City Council authorizes the establishment of two 9-1-1 technician positions so that adequate coverage can be maintained within the requirements of the labor contract, and

Be It Further Resolved, that the City Council hereby authorizes the use of residual funds within the Police Salary appropriations, available due to vacancies, to fund these two positions for the remainder of the current fiscal year, and

Be It Finally Resolved, that this measure is for the current fiscal year and the City Council will consider staffing options during its Fiscal Year 82 budget review.

Adopted by the following vote:

Unanimously.

By COMMITTEE OF THE WHOLE—

Resolved by the City Council of the City of Lansing:

Whereas, the Charter of the City of Lansing requires the Council to provide for its organization including the establishment of standing committees,

Now, Therefore, Be It Resolved, the City Council of the City of Lansing hereby establishes a new standing committee of Council to be known as the Board of Water and Light Liaison Committee, and

Be It Further Resolved, the three members to serve on the Board of Water and Light Liaison Committee shall be the chairpersons from the Public Properties and Safety Committee, the General Services Committee, and the Committee on Physical Development.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON WAYS AND MEANS—

Resolved by the City Council of the City of Lansing:

That the following transfers be approved:

$100.00 from General Fund—Estimated Revenue
A/C 101-000-000-160

$100.00 to Fire Administration—Citizen's Contribution
A/C 101-337-000-956

$302.00 from District Court—Equipment
A/C 760-136-000-977

$302.00 to District Court—Estimated Revenue
A/C 760-000-000-160

$302.00 from District Court—Expenditures
A/C 101-136-000-700

$302.00 to Property Management—Project Maintenance
A/C 101-265-000-931

I hereby certify that this is a properly drawn and eligible transfer.

JAMES W. DOWSETT,
Finance Director.

Approved:

TERRY J. McKANE,
WILLIAM A. BRENKE,
JACK D. GUNTHER,
Ways and Means Committee.

Adopted by the following vote:

Unanimously.

By COUNCILMAN WORTHINGTON—

Resolved by the City Council of the City of Lansing:

That the rules of the Council be waived for the purpose of presenting items that are not listed on the agenda.

Carried.

By COUNCILMAN WORTHINGTON—

Resolved by the City Council of the City of Lansing:

Whereas, the Demolitions Hearing Board has determined that a vacant residential structure located at 139 Isbell Street is unsafe and dangerous, and must be made safe for occupancy or demolished; and

Whereas, the City Council must conduct a public hearing prior to issuing an order

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to demolish or make safe any residential structure;

Now, Therefore, Be It Resolved, the Lansing City Council hereby sets a public hearing for Monday, January 26, 1981, at 7:00 p.m., in the 10th floor Chambers of City Hall, for the purpose of reviewing comment on the proposed order to demolish or make safe a vacant residential structure located at 139 Isbell Street.

Adopted by the following vote:

Unanimously.

By COUNCILMAN GUNTHER—

Resolved by the City Council of the City of Lansing:

That Councilman Blair be excused from the session.

Carried.

**REMARKS BY THE MAYOR'S EXECUTIVE ASSISTANT**

No remarks.

**REMARKS BY THE CITY COUNCIL**

Councilman Adado spoke.

By COUNCILMAN BRENKE—

That this meeting stand adjourned.

Carried.

Council adjourned at 8:15 p.m.

THEO FULTON,
City Clerk.

Lansing, Michigan

January 15, 1981

F/B

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CITY CLERK'S OFFICE
Room 921, City Hall
Lansing, Michigan 48933

Address Correction Requested

BULK RATE
U. S. POSTAGE
PAID
Permit No. 1461
Lansing, Michigan



# OFFICIAL PROCEEDINGS OF
# THE CITY COUNCIL
## OF THE CITY OF LANSING

## Proceedings, January 19, 1981

**CITY COUNCIL ROOMS**

Lansing, Michigan

January 19, 1981

The City Council of the City of Lansing, Michigan, met in regular session and was called to order by President Belen.

Present: Councilmen Adado, Belen, Blair, Brenke, Gunther, Lindemann, McKane, Worthington—8.

Absent: None.

The Clerk announced that a quorum of the Council was present.

Invocation was given by Councilman Gunther.

Pledge of Allegiance was led by Councilman Gunther.

**PUBLIC HEARING**

January 19, 1981, at 7:00 o'clock being the time set as the time for holding a public hearing on the proposed Foster Care Facility at 1204 Bensch Street.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed facility they had the privilege of speaking at this time.

Referred to Committee on Physical Development.

**THE PUBLIC MAY NOW ADDRESS THE CITY COUNCIL ON ANY OF THE FOLLOWING ITEMS LISTED ON THE AGENDA: COMMUNICATIONS AND PETITIONS, COMMITTEE REPORTS, REPORTS OF CITY OFFICERS AND BOARDS, AND RESOLUTIONS. YOU MAY SPEAK ONLY FOR 3 MINUTES ON ANY ONE ITEM.**

Resolution No. 4 removed from the agenda.

No person spoke.

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## COMMUNICATIONS AND PETITIONS

The following applications and bonds have been filed for licenses:

MECHANICAL DEVICE —
Moriarty's Pub.

AUTOMOBILE WRECKER —
John's Mobile and Don L's Towing.

Referred to Committee on General Services.

Summons filed in Circuit Court by Gregory MaCauley and The Fraternal Order of Police, Capitol City Lodge No. 141 vs The City of Lansing and City of Lansing Police Department and Lansing Chief of Police in regard to disciplinary action taken.

Referred to Mayor, City Attorney.

Steadman & Pierson, Inc., request Final Preliminary Approval on plat of Sheraton Park No. 2.

Referred to Mayor, Planning Board.

Continental Cablevision of Lansing submits check for partial funding of video equipment.

Received and placed on file.

Martha C. Johnson submits notice of a public hearing to be held on Wednesday, January 21, 1981 at the State Police Training Academy regarding the Dentistry Board's proposed rules.

Received and placed on file.

Letters from the Michigan Municipal League relative:

Submitting dates and locations of its 1981 series of Regional Meetings.

Received and placed on file with copies to the Mayor, Council Members and Department Heads.

Submitting a Michigan Local Government Energy Assessment survey to be filled out and returned.

Referred to the Mayor for completion of survey.

Submitting notice of a National League of Cities Congressional-City Conference to be held in Washington, D.C., on February 28 through March 3, 1981.

Received and placed on file with copies to the Mayor, Council Members and Department Heads.

Letters from Robert Pulmateer commending the City Council and City Clerk.

Received and placed on file.

## MAYOR'S EXECUTIVE ASSISTANT COMMENTS

No comment.

## REPORTS OF COMMITTEES

The COMMITTEE ON GENERAL SERVICES approves the following applications and bonds for licenses:

MECHANICAL DEVICE —
Moriarty's Pub.

AUTOMOBILE WRECKERS —
John's Mobil and Don L's Towing.

Signed:

WILLIAM A. BRENKE,
PAT LINDEMANN,
TERRY J. McKANE,
Committee on General Services.

By COUNCILMAN BRENKE—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

The COMMITTEE ON PHYSICAL DEVELOPMENT, to whom was referred the Ordinance of the City of Lansing, providing that the Code of Ordinances be amended to provide for an amendment to the amended Physical Development Plan for Neighborhood Development Area No. 1 within the City of Lansing by adding a new section to be numbered Section 36-99.1C for the inclusion of two structures in the acquisition program under the section "Physical Condition." The structures are located at 1203 West Lenawee St. and 1219 West Lenawee St., reports as follows:

That said ordinance be passed.

Signed:

SIDNEY P. WORTHINGTON,
LUCILE BELEN,
WILLIAM A. BRENKE,
Committee on Physical Development.

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By COUNCILMAN WORTHINGTON—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

The COMMITTEE ON PHYSICAL DEVELOPMENT, to whom was referred the Ordinance of the City of Lansing, providing that the Code of Ordinances be amended by adding a new section to be numbered 36-99.24A and 36-99.24B to Chapter 36, Article XA of the Code to provide for the phase down of the activities specified in the amended Physical Development Plan for Neighborhood Development Area No. 1 within the City of Lansing and to repeal Sections 36-94 through 36-99.24A of the Code of the City of Lansing effective July 1, 1981, reports as follows:

That said ordinance be passed.

Signed:

SIDNEY P. WORTHINGTON,
LUCILE BELEN,
WILLIAM A. BRENKE,
Committee on Physical Development.

By COUNCILMAN WORTHINGTON—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

The COMMITTEE ON PUBLIC PROPERTY AND SAFETY, to whom was referred the ordinance of the City of Lansing providing that the Code of Ordinances be amended by revising Section 9E-1 of said Code for the adoption of the Electrical Code, reports as follows:

That said ordinance be passed.

Signed:

PAT LINDEMANN,
SIDNEY P. WORTHINGTON,
JAMES D. BLAIR,
Committee on Public Property and Safety.

By COUNCILMAN LINDEMANN—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

The COMMITTEE ON PUBLIC PROPERTIES AND SAFETY, to whom was referred the ACT-45-80, a requset by the Property Manager to vacate Race Street, Maple Street, and Factory Street near the planned Fish Ladder in North Lansing, reports as follows:

That we concur with the recommendation of the Planning Board and the Mayor to deny the request. Until more development occurs on the fish ladder project, the proposed vacation would have more negative impact than positive due to current uses of these streets for traffic access, circulation, and utility and sewer easements.

Signed:

PAT LINDEMANN,
SIDNEY P. WORTHINGTON,
JAMES D. BLAIR,
Committee on Public Properties and Safety.

By COUNCILMAN LINDEMANN—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

## REPORTS OF CITY OFFICERS AND BOARDS

January 14, 1981

Honorable Mayor and Members
of the Lansing City Council

Re: North American Mortgage Investors v City of Lansing

MTT Docket No. 46527

Dear Mayor and Councilmembers:

On June 30, 1980, North American Mortgage Investors filed a petition in the Michigan Tax Tribunal alleging that certain real property, otherwise known as Briarcliffe East Apartments, located in the City of Lansing and owned by North American Mortgage Investors, was over-assessed in the amount of $264,610. The City of Lansing filed an answer stating that the assessment of $2,505,400 was a proper and lawful assessment based upon information which the City Assessor staff possessed at the time of the assessment.

Pursuant to the Michigan Tax Tribunal Rules, a counsel conference was held in the City Assessor's Office. Based upon further information supplied to the City Assessor's staff by the representative of the petitioner at the counsel conference, the City Assessor arrived at a revised assessed value of $2,367,000 for the 1980 tax year.

It is the recommendation of this office that the figure of $2,367,000 should beac-

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cepted in settlement of this matter both because of the uncertainty of the outcome of litigation and because the figure of $2,367,000 is substantially in agreement with the original assessment figure. It should also be pointed out that based on the facts now available the City Assessor concurs with this recommendation.

Respectfully submitted,

STEPHEN R. SAWYER,
City Attorney.

By COUNCILMAN ADADO—

That we concur in the recommendation of the City Attorney and said settlement be approved.

Carried.

January 15, 1981

Honorable Mayor and Members
of the Lansing City Council

Re: Lansing Washington Apartments v City of Lansing
MMT Docket No. 43210

Dear Mayor and Members
of the City Council:

On May 2, 1980, the Lansing Washington Apartments through their attorney filed a lawsuit against the City of Lansing in the Michigan Tax Tribunal seeking a reduction in the assessed valuation of its property taxes. Specifically, the complaint alleged that its property tax assessment should not exceed $240,000.00, and therefore was overassessed by the sum of $196,000.00. The City of Lansing filed its answer to petitioner's complaint and stated that the assessment was proper and lawful based upon information which was known by the City Assessor's Office.

Recently, members of the City Assessor's Office, this office and the owner of the property which is the subject matter of this complaint, along with his appraiser, met in order to update and exchange any information which the various parties possessed and also, if possible, resolve the dispute over the value of the real property. Based upon information which had not been previously available to the Assessor's Office and which was supplied by both the owner and his appraiser, it was agreed by both the City Assessor and the petitioner that the utilization of proper assessment procedures resulted in a determination the correct value for their real property should be $330,000.00 for the year 1979.

The foregoing settlement appears reasonable in that it avoids the expense, delay and uncertainty of litigating the case before the Michigan Tax Tribunal, and because the agreed upon assessment is in substantial conformity with the value of the subject matter of Petitioner's complaint based upon the utilization of proper assessment techniques. It should also be noted that the City Assessor concurs in this proposal. Therefore, based upon the above, it is this office's recommendation that the City Attorney's office be authorized to enter into a Stipulation affecting the settlement outlined in this letter.

Respectfully submitted,

STEPHEN R. SAWYER,
City Attorney.

By COUNCILMAN ADADO—

That we concur in the recommendation of the City Attorney and said settlement be approved.

Carried.

January 15, 1981

Honorable Mayor and Members
of the Lansing City Council

Re: Gould Investors Trust v City of Lansing

MMT Docket No. 45351

Dear Mayor and Members
of Lansing City Council:

On June 23, 1980, Gould Investors Trust filed a petition in the Michigan Tax Tribunal alleging that certain real property located in the City of Lansing and owned by Gould Investors Trust was overassessed in the amount of $428,400.00. The City of Lansing filed an answer stating that the assessment of $2,052,200.00 was a proper and lawful assessment based upon information which the City Assessor's staff possessed at the time of the assessment.

Pursuant to the Michigan Tax Tribunal Rules, a counsel conference was held in the City Assessor's Office. Based upon further information supplied to the City Assessor's staff by a representative of petitioner at the counsel conference, the City Assessor arrived at a revised assessed value of $2,000,000.00 for the 1980 tax year.

It is the recommendation of this office that the figure of $2,000,000.00 should be accepted in settlement of this matter both because of the uncertainty of the outcome of litigation and because the amount of $2,000,000.00 is in substantial agreement with the original assessment figure. It should also be pointed out that based on the facts now available, the City Assessor concurs with this recommendation.

Respectfully submitted,

STEPHEN R. SAWYER,
City Attorney.

By COUNCILMAN ADADO—

That we concur in the recommendation of the City Attorney and said settlement be approved.

Carried.

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January 15, 1981

Honorable Mayor and Members
of the Lansing City Council

Re: Scotmar Townhouses v City of Lansing
MTT Docket No. 45812

Dear Mayor and Members
of Lansing City Council:

On June 30, 1980, Scotmar Townhouses filed a petition in the Michigan Tax Tribunal alleging that certain real property, known as Scotmar Townhouses, located in the City of Lansing, was overassessed in the amount of $162,600.00. The City of Lansing filed an answer stating that the assessment of $789,100.00 by the City Assessor's Office was a proper and lawful assessment based upon utilization of the proper assessment techniques and information wihch the City Assessor's staff possessed at the time of the assesment.

Pursuant to the Michigan Tax Tribunal Rules, a counsel conference was held in the City Assessor's Office. Based upon further information supplied to the City Assessor's staff by a representative of petitioner at the counsel conference, the City Assessor arrived at a revised assessed value of $707,500.00 for the 1980 tax year.

It is the recommendation of this office that the figure of $707,500.00 should be accepted in a settlement of this matter both because of the uncertainty of the outcome of litigation and because the figure of $707,500.00 is an amount which is supported by information which the City Assessor's staff now possesses. It should also be pointed out that the City Assessor concurs with this recommendation.

Respectfully submitted,

STEPHEN R. SAWYER,
City Attorney.

By COUNCILMAN ADADO—

That we concur in the recommendation of the City Attorney and said settlement be approved.

Carried.

DATE: 1/9/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Public Service Director. Re: Trash in R-O-W Removal Assessment for July 1981 Tax Roll (V-2).

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

By COUNCILMAN LINDEMANN—

That we concur in the recommendation of the Mayor and said assessments be placed on the July tax roll.

Carried.

DATE: 1/13/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Submission of attached correspondence from the City Controller. Re: Administrative Actions.

The attached correspondence is submitted for your information.

GERALD W. GRAVES,
Mayor.

Received and placed on file.

January 14, 1981

Council President Lucille Belen
and Members of Lansing City Council

City Hall

Lansing, Michigan 48933

Dear President Belen and Councilmembers:

On September 19, 1979, the City of Lansing purchased a property located at 1017 East Grand River in accordance with the Development Plan for Neighborhood Development Area No. 3. This property was purchased because it was a non-conforming use in the midst of a residential block and this use was considered a detriment to the neighborhood. The Development Plan calls for this property to be sold for use as a single-family residence.

The property was inspected by City Building Inspectors and it was determined that the cost of rehabilitation of the structure would exceed thirty thousand dollars. In order to dispose of this property and enable the new property owner to rehabilitate the property within the market value limits which the neighborhood could support, City staff are proposing that a "Homesteading" approach be utilized in selling the property. Urban Homesteading has become a popular method of recycling deteriorated, abandoned housing in cities across the country. Cities sell properties for a nominal amount (usually one dollar), with the purchaser required to rehabilitate the property and then reside there for a specified period of time. Because of the costs involved, we are therefore recommending that you approve the Homesteading of 1017 East Grand River. The Citizens' District Council for NDA No. 3 has reviewed and endorsed this concept.

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Please review the attached material and discuss the program at the appropriate committee meetings. City staff will be available to explain how the program would work and to answer your questions.

This is an experiment. It has been both costly and time consuming in researching the program and establishing operational parameters. However, in this specific instance Homesteading should result in the restoration of a unique structure and the provision of a rehabilitated home for a Lansing family at a reasonable cost. The administrative costs of this operation are unreasonably high, but, in this case, must be borne to comply with the ordinance you have already adopted and to meet the current wishes of the Citizens District Council.

Thank you for consideration of this matter. We await your approval.

Sincerely,

GERALD W. GRAVES,
Mayor.

Referred to Committee on Physical Development.

DATE: 1/15/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Operations Analyst, Finance Dept. Re: Request for Waiver of 4% Penalty — July Tax — Senior Citizen Mae Marceau,1717 Quentin, 3301-20-379-021.

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Ways and Means.

DATE: 1/15/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Submission of attached correspondence from the Michigan Historical Commission. Re: Designating of Historic Site — Lansing Civic Players Fire House (Lansing Fire Station No. 8).

The attached correspondence is submitted for your information.

GERALD W. GRAVES,
Mayor.

Received and placed on file.

DATE: 1/15/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Submission of attached correspondence from the Traffic Department. Re: Cancellation of January Traffic Board Meeting.

The attached correspondence is submitted for your information.

GERALD W. GRAVES,
Mayor.

Received and placed on file.

## RESOLUTIONS

By GENERAL SERVICES COMMITTEE—

Resolved by the City Council of the City of Lansing:

Resolved by the City Council of the City of Lansing, the request of the Department of Michigan, Veterans of Foreign Wars for a 24 hour liquor permit for the 31st of January, 1981, at the National Guard Armory located at 2500 S. Washington Avenue is hereby approved provided the special 24 hour permit is obtained from the Liquor Control Commission.

Adopted by the following vote:

Unanimously.

By GENERAL SERVICES COMMITTEE—

Resolved by the City Council of the City of Lansing:

Resolved by the City Council of the City of Lansing, the request from the Fisher Body Women's Club for a 24 hour liquor permit for a retirement party on February 7th, 1981, at the National Guard Armory located at 2500 S. Washington Avenue is hereby approved provided the special 24 hour permit is obtained from the Liquor Control Commission.

Adopted by the following vote:

Unanimously.

By GENERAL SERVICES COMMITTEE—

Resolved by the City Council of the City of Lansing:

Resolved by the City Council of the City of Lansing, the request from the Waverly Band Boosters for a 24 hour liquor permit for a Millionaires Party on February 14th,

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1981, at the National Guard Armory located at 2500 S. Washington Avenue is hereby approved provided the special 24 hour liquor permit is obtained from the Liquor Control Commission.

Adopted by the following vote:

Unanimously.

By GENERAL SERVICES COMMITTEE—

Resolved by the City Council of the City of Lansing:

Resolved by the City Council of the City of Lansing, the request from David R. Conn Enterprises, Inc., for transfer ownership of 1980 Class C licensed business with Dance Permit located at 2005-2007-2009 E. Michigan Avenue, Lansing, Michigan, Ingham County, from Ivan R. Good is hereby approved, and

Be It Further Resolved, this approval is contingent on the satisfactory compliance with all directives of the Fire Inspector and the Planning Department is satisfied with the sufficiency of parking.

Adopted by the following vote:

Unanimously.

By COUNCILMAN WORTHINGTON—

Resolved by the City Council of the City of Lansing:

FCF-6-80
817 Dunlap Street

Whereas in accord with the provisions of Act 28, Public Acts of 1977 of the State of Michigan, the State of Michigan Department of Social Services has notified the City of Lansing of its intent to license an adult foster care family home to house one (1) and not more than two (2) foster adults upon the premises commonly known as 817 Dunlap Street, more particularly described as:

Parcel number: 3301-29-428-182

Lots 62 and 63, Logancrest Subdivision, City of Lansing, Ingham County, Michigan; and

Whereas upon review of the application, the Planning Department found that:

1) No other similar existing or proposed facilities are located within 1500 feet of this proposed facility and

2) Minor repairs and alterations and improved housekeeping are necessary to bring the home up to minimum building and fire code standards; and

Whereas the Physical Development Committee of the Council, to whom the applicaiton was referred, has reviewed the report of the Planning Department and the results of the safety inspection;

Now, Therefore, Be It Resolved that the license application notice be returned to the State of Michigan Department of Social Services indicating the proposed facility is located more than 1500 feet from an existing similar facility or another proposed facility, and recommending that no foster adults be placed in the home until and unless all code required alterations have been completed; and

Be It Further Resolved that the City Clerk be, and she is hereby, directed to return the license application notice, with this recommendation and that copies of this resolution, the Planning Department report and the safety inspection report be attached thereto and returned with the notice.

Adopted by the following vote:

Unanimously.

By PHYSICAL DEVELOPMENT COMMITTEE—

Resolved by the City Council of the City of Lansing:

Whereas, the City of Lansing has undertaken redevelopment and housing rehabilitation projects for the revitalization of blighted areas in cooperation with the federal government for financial assistance pursuant to P.A. 344, 1945 as amended, in an area known as Neighborhood Development Area No. 1; and

Whereas, the Community Development Program has been operating in Neighborhood Development Area No. 1 since May, 1976; and

Whereas, 84 of the total 236 structures have been rehabilitated as specified in the Neighborhood Development Plan as amended; and

Whereas, 74 structures have become code complaint as specified in the Uniform Housing Code; and

Whereas, 45 structures are involved in the housing rehabilitation process; and

Whereas, 20 structures are involved in the code compliance process; and

Whereas, 13 structures are not involved in either the housing rehabilitation process or the code compliance process; and

Whereas, all public improvement projects have been completed except for three projects; and

Whereas, these projects, Hillsdale Open Space and Kalamazoo Street Resurfacing will be completed by June 30, 1981; and

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Whereas, a decision will be made whether to continue wtih the Utility Pole Relocation project by February 17, 1981, and

Whereas, the Planning Department has consulted with Citizens' District Council No. 1 regarding the phase down; and

Whereas, the Citizens' District Council has agreed to the phase-down with the following provisions:

—**completion** of the issuance of search warrants permitting the Building Safety and Development Department to inspect the properties not involved in the Rehabilitation program and the enforcement of the Uniform Housing Code;

—**completion** of rehabilitation work until the 45 structures in the housing rehabilitation process meet the established rehabilitation standards of Neighborhood Development Area No. 1;

—**completion** of code items until the 20 structures in the code compliance process meet the Uniform Housing Code as specified;

—**reservation** of funds to finance rehabilitation, acquisition, rodent control, utility pole relocation and projects not completed; and

—**transfer** of all remaining unencumbered funds to approved Community Development Block Grant activities after completion of the projects as specified in the development plan; and

Whereas, the Planning Board concurred with the recommendation of the Citizens' District Council at their meeting on October 21, 1980; and

Whereas, a public hearing on the phase-down was held before City Council on December 22, 1980; and

Whereas, no negative comments were received on the phase-down;

Now, Therefore Be It Resolved that after January 30, 1981, no applications for housing rehabilitation will be accepted by the Redevelopment Division and no new public improvement activities will be received from the Citizens' District Council;

And Be It Finally Resolved that the Neighborhood Development Plan for Neighborhood Development Area No. 1 will be terminated effective June 30, 1981.

Adopted by the following vote:

Unanimously.

By PHYSICAL DEVELOPMENT COMMITTEE—

Resolved by the City Council of the City of Lansing:

Whereas, the City of Lansing has undertaken redevelopment and housing rehabilitation projects for the revitalization of blighted areas in cooperation with the federal government for financial assistance pursuant to P.A. 344, 1945, as amended, in an area known as Neighborhood Development Area No. 1; and

Whereas, two structures located at 1203 and 1219 West Lenawee have been inspected and the rehabilitation costs estimated to be more than the appraised value of the houses; and

Whereas, the Citizens' District Council has reviewed the information pertaining to these structures and has agreed with the acquisition of the structures, relocation of the families and demolition of the structures; and

Whereas, the Planning Board concurred with the recommendation of the Citizens' District Council at their meeting on August 12, 1980; and

Whereas, a public hearing was held on December 22, 1980 for comments on the acquisition of the structures; and

Whereas, no negative comments were received on the acquisition of the structures;

Now, Therefore Be It Resolved that the structures located at 1203 West Lenawee and 1219 West Lenawee be acquired, the families relocated and structures demolished.

Adopted by the following vote:

Unanimously.

By PHYSICAL DEVELOPMENT COMMITTEE—

Resolved by the City Council of the City of Lansing:

Whereas, the successful completion of the Capitol Commons Housing Development is dependent upon the cooperation of many entities, both public and private, and

Whereas, the City of Lansing, the Michigan State Housing Development Authority, E.J.S. Housing Partnership and the Capitol Senior Limited Dividend Housing Association working together toward a common goal will require clear knowledge of the responsibilities of each participant, and

Whereas, a Memorandum of Understanding between the above mentioned entities has been referred to and reviewed by the Council Committee on Physical Development,

Now, Therefore, Be It Resolved, the City Council of the City of Lansing hereby approves the Memorandum of Understanding between the City of Lansing, the Michigan State Housing Development Authority, EJS Housing Partnership and the Capitol Senior

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Limited Dividend Housing Association and authorizes the City of Lansing's participation.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PHYSICAL DEVELOPMENT—

Resolved by the City Council of the City of Lansing:

Whereas, the Lansing City Council has established a policy regarding the disposition of vacant lots in Neighborhood Development Areas; and

Whereas, Section 8-403.4 of the City Charter of the City of Lansing requires that City Council approve proposed sales of real estate,

Now, Therefore, Be It Resolved by the Lansing City Council that the following proposed sales be and are hereby approved:

To Helena F. Carson, the property legally described as the East 20.5 feet of Lot 111, Assessor's Plat No. 9, City of Lansing, Ingham County, Michigan. (Commonly known as part of 1214 West Lenawee Street) Parcel No. 3301-17-451-161-3).

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PHYSICAL DEVELOPMENT—

Resolved by the City Council of the City of Lansing:

Whereas, the Lansing City Council has established a policy regarding the disposition of vacant lots in Neighborhood Development Areas; and

Whereas, Section 8-403.4 of the City Charter of the City of Lansing requires that City Council approve proposed sales of real estate,

Now, Therefore, Be It Resolved by the Lansing City Council that the following proposed exchange of land be and is hereby approved.

The City of Lansing agrees to convey by quit claim deed to Naoma Reed a parcel of property described as: (1203 W. Hillsdale St.)

"The North 10.8 feet of Lot 95, lying west of west right-of-way line of Southbound M-99; also that part of Lot 59 lying west of said right-of-way line and east of a line described as commencing at Southeast corner of Lot 56, thence Southwesterly to the Northwest corner of Lot 95, all being in Assessor's Plat No. 42, City of Lansing, Ingham County, Michigan, recorded in Liber 6 of Plats, Page 48, Ingham County Records."

more commonly known as 3301-17-454-162-9.

Naoma L. Reed agrees to convey by quit claim deed to the City of Lansing a parcel of property described as:

"The West 35 feet of Lot 58, also that part of Lot 58, Assessor's Plat No. 42, City of Lansing; recorded in Liber 6 of Plats, Page 48, Ingham County Records, lying west of a line described as commencing at Southeast corner of Lot 56, thence southwesterly to Northwest corner of Lot 95, of said plat, City of Lansing, Ingham County, Michigan."

more commonly known as 3301-17-454-212-2.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PUBLIC PROPERTIES AND SAFETY—

Resolved by the City Council of the City of Lansing:

Whereas, the City Council has received a coordinated recommendation from the Mayor, the Transportation Advisory Committee, the Traffic Board, the Public Service Board, the Planning Board, and the Forest View Citizens' Association regarding improvements to Aurelius Road between Mt. Hope and Jolly Road; and

Whereas, the recommendation concurs in Alternative "S-1" offered by the Goodell-Grivas, Inc., consultant report, which specifies the reconstruction and maintenance of two lanes along Aurelius Road, adding curb and gutter and a bicycle lane in each direction, plus left turn lanes on Aurelius at Cavanaugh and Jolly, as well as on Jolly at Aurelius; and

Whereas, funding in the amount of $100,000 has been approved through Federal Assistance Urban Systems (FAUS) to help pay for a preliminary engineering and design contract;

Now, Therefore, Be It Resolved the Lansing City Council, sitting in regular session this 15th day of December, 1980, does hereby approve the Aurelius Road improvement recommendations outlined in the 12/1/80 letter from the Transportation Advisory Committee (attached), and authorizes a preliminary engineering and design study for such improvements using FAUS funds provided, however, that the necessary City matching funds are available in the appropriate account.

By COUNCILMAN LINDEMANN—

That the resolution be amended as follows:

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That in the last paragraph the date of "15th day of December, 1980" be changed to read the "19th day of January, 1981."

Carried.

Councilman Blair asked to reserve the right to explain his no vote.

Carried.

The resolution as amended was adopted by the following vote:

Yeas: Councilmen Adado, Belen, Brenke, Gunther, Lindemann, McKane, Worthington—7.

Nay: Councilman Blair—1.

By COMMITTEE ON PUBLIC PROPERTIES AND SAFETY—

Resolved by the City Council of the City of Lansing:

Whereas, the City of Lansing applied to the Michigan History Division for funds to restore streetfront facades of structures in North Lansing; and

Whereas, the Michigan History Division subsequently approved a grant in the amount of $100,000; and

Whereas, the City Council adopted a policy stating that property owners benefitting from the facade restoration project would share certain responsibilities with the City by means of a conract to be signed before any work could begin; and

Whereas, such contract was then developed, resulting in a reduction of the number of participants due to unwillingness by some owners to sign the contract; and

Whereas, the Michigan History Division then revised the grant to $76,950 representing estimated costs of work on eight properties, without a contingency fund; and

Whereas, contracts have been signed by the remaining participating property owners;

Now, Therefore, Be It Resolved, the Lansing City Council hereby approves acceptance of the $76,950 grant from the Michigan History Division for the North Lansing Facade Restoration Project—Phase II, and authorizes the Mayor and the City Clerk to sign the grant agreement after approval as to form by the City Attorney; and

Be It Further Resolved, the Mayor is requested to direct the City Controller to establish appropriate accounts for disbursement of the grant funds; and

Be It Finally Resolved, notwithstanding the terms of the grant agreement with the State of Michigan, the project shall proceed according to the guidelines adopted by City Council on October 15, 1979.

Adopted by the following vote:

Unanimously.

By COMMITTEE OF THE WHOLE—

Resolved by the City Council of the City of Lansing:

Whereas, the Lansing City Council has been presented a recommended proposal from the Mayor of Lansing concerning the so called "100 block" development and exhibition facility; and

Whereas, the recommendation would stipulate, among other items, that the exhibition hall not be constructed as a free standing structure across the river from the proposed hotel, but rather be made a part of the hotel; and

Whereas, it is further recommended that the 10.3 million dollar Urban Development Action Grant awarded to the City be used as a secondary mortgage investment into the "100 block" development, and be repaid at the rate of 7% per annum for 30 years; and

Whereas, as a result the exhibition floor area in the hotel would consist of only 20,850 square feet of free span floor space, about equivalent to the present main auditorium of the Lansing Civic Center; and

Whereas, the Lansing City Council finds this proposal inconsistent with the policies and directions set by the Council for the long term economic growth and development for the City of Lansing;

Now, Therefore, Be It Resolved the Lansing City Council accepts for its consideration the proposal presented by the Mayor for alterations to the "100 block" and exhibition facility; and

Be It Further Resolved that the Lansing City Council re-affirms its basic commitment to those plans and policies for the "100 block" and exhibition hall projects as have been previously passed; and

Be It Further Resolved that in an endeavor to continue its basic goals of enhancing the economic growth and development of the City, the Council hereby creates a Special Advisory Council Committee. The Committee shall consist of (5) members, appointed by the Council President, with input from the Council. It shall be the responsibility of the Committee to review the current "100 block" development and exhibition facility and assess the following in relation to the proposed development.

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1. Both the short and long term needs of Lansing for a convention center.

2. Both the short and long term needs of economic development for the downtown area.

3. Any alterations to current plans or policies which in the view of the Committee would enhance the marketability of the proposed development; and

Be It Finally Resolved that the Committee shall report back to the Council within one month with its recommendations and the Council shall take no action on the "100 block" until their recommendation(s) are received.

Adopted by the following vote:

Unanimously.

SPECIAL ADVISORY COUNCIL COMMITTEE TO REVIEW "100 BLOCK" DEVELOPMENT

Mr. George Nugent (Chairman)
President, American Bank and Trust

Mr. Walter Maner, Jr.
CPA—Treasurer, Lansing Convention Bureau

Mr. William Holtgreive
Regional Manager, Consumer Power Officer, Regional Chamber of Commerce

Mr. William Porter, Jr.
Realtor—MBR Economic Development Board of Directors

Mr. Angelos J. Vlahakis
Former Downtown Businessman
President, Angelos J. Vlahakis & Assoc.
MBR, Chamber of Commerce and Convention Bureau

RESOURCE PERSON FOR SPECIAL COUNCIL COMMITTEE

Mr. Don Smith—Hotel and Institution Mgt., Michigan State University

Mr. Timothy Reardon—Department of Commerce

Mr. Richard Porter—Private Consultant

Mr. Robert Rood—Artcraft Decorators

Mr. James Byrum—Michigan Bean Co.

By WAYS AND MEANS COMMITTEE—

Resolved by the City Council of the City of Lansing:

That the following transfer be approved:

$3,000.00 from Reserve for Contingency
A/C 101-941-000-963

$3,000.00 to Warehouse Facility—CIP
A/C 101-936-105-975

I hereby cretify that this is a properly drawn and eligible transfer.

JAMES W. DOWSETT,
Finance Director.

Approved:

TERRY J. McKANE,
WILLIAM A. BRENKE,
JACK D. GUNTHER,
Ways and Means Committee.

Adopted by the following vote:

Unanimously.

ORDINANCES

By COUNCILMEN WORTHINGTON and LINDEMANN—

The Committee reported that it had considered an ordinance providing, that the Code of Ordinances, City of Lansing, Michigan, be amended by:

To provide for an amendment to the amended Physical Development Plan for Neighborhood Development Area No. 1 within the City of Lansing by adding a new section to be numbered Section 36-99.1C for the inclusion of two structures in the acquisition program under the section "Physical Condition." The structures are located at 1203 and 1219 West Lenawee Street.

Adding a new section to be numbered 36-99.24A and 36-99.24B to Chapter 36, Article XA of the Code to provide for the phase down of the activities specified in the amended Physical Development Plan for Neighborhood Development Area No. 1 within the City of Lansing and to repeal Sections 36-94 through 36-99.24A of the Code of the City of Lansing effective July 1, 1981.

Revising Section 9E-1 of the Code for the Adoption of the Electrical Code.

and recommended that the ordinances be passed.

Carried.

ORDINANCE NO. 584

By COUNCILMAN WORTHINGTON—

Resolved by the City Council of the City of Lansing, that the Ordinance providing that the Code of Ordinances, City of Lan-

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sing, Michigan, be amended to provide for an amendment to the amended Physical Development Plan for Neighborhood Development Area No. 1 within the City of Lansing by adding a new section to be numbered Section 36-99.1C for the inclusion of two structures in the acquisiiton program under the section "Physical Condition." The structures are located at 1203 West Lenawee St. and 1219 West Lenawee St. be placed on order of immediate passage.

By COUNCILMAN WORTHINGTON—

Resolved by the City Council of the City of Lansing, that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended to provide for an amendment to the amended Physical Development Plan for Neighborhood Development Area No. 1 within the City of Lansing by adding a new section to be numbered Section 36-99.1C for the inclusion of two structures in the acquisition program under the section "Physical Condition." The structures are located at 1203 West Lenawee St. and 1219 West Lenawee St., be now passed.

Adopted by the following vote:

Unanimously.

## ORDINANCE NO. 584

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, PROVIDING THAT CHAPTER 36, ARTICLE XA OF THE CODE OF ORDINANCES, CITY OF LANSING, MICHIGAN, BE AMENDED TO PROVIDE FOR AN AMENDMENT TO THE AMENDED PHYSICAL DEVELOPMENT PLAN FOR NEIGHBORHOOD DEVELOPMENT AREA NO. 1 WITHIN THE CITY OF LANSING BY ADDING A NEW SECTION TO BE NUMBERED SEC. 36-99.1C.

The City of Lansing Ordains:

Section 1. That Chapter 36, Article XA of the Code of the City of Lansing, Michigan, be amended by adding a new section to be numbered 36-99.1C to read as follows:

Sec. 36-99.1C. **Amendment to the plan established.**

The Physical Development Plan referred to in Sec. 36-99.1 is hereby modified by incorporating the following into the ordinance pursuant to Sec. 36-99.6:

The **inclusion** of two structures in the Acquisition program under the section "Physical Condition." The structures are located at 1203 West Lenawee and 1219 West Lenawee.

The **deletion** of these structures from the Housing Rehabilitation List.

The **modification** of maps to reflect the changes detailed above.

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance shall take effect thirty (30) days from its passage unless given immediate effect by the City Council.

By COUNCILMAN WORTHINGTON—

Resolved by the City Council of the City of Lansing:

This ordinance being necessary for the immediate preservation for the public peace, health or safety shall take effect upon its passage.

Carried.

## ORDINANCE NO. 585

By COUNCILMAN WORTHINGTON—

Resolved by the City Council of the City of Lansing, that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by adding a new Section to be numbered 36-99.24A and 36-99.24B to Chapter 36, Article XA of the Code to provide for the phase down of the activities specified in the amended Physical Development Plan for Neighborhood Development Area No. 1 within the City of Lansing and to repeal sections 36-94 through 36-99.24A of the Code of the City of Lansing effective July 1, 1981, be placed on order of immediate passage.

By COUNCILMAN WORTHINGTON—

Resolved by the City Council of the City of Lansing, that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by adding a new Section to be numbered 36-99.24A and 36-99.24B to Chapter 36, Article XA of the Code to provide for the phase down of the activities specified in the amended Physical Development Plan for Neighborhodd Development Area No. 1 within the City of Lansing and to repeal sections 36-94 through 36-99.24A of the Code of the City of Lansing effective July 1, 1981, be now passed.

Adopted by the following vote:

Unanimously.

## ORDINANCE NO. 585

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, PROVIDING THAT CHAPTER 36 ARTICLE XA OF THE CODE OF ORDINANCES, CITY OF

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LANSING, MICHIGAN, BE AMENDED BY ADDING A NEW SECTION TO BE NUMBERED 36-99.24A AND SECTION 36-99.24B TO SAID CODE TO PROVIDE FOR THE PHASE DOWN OF THE ACTIVITIES SPECIFIED IN THE AMENDED PHYSICAL DEVELOPMENT PLAN FOR NEIGHBORHOOD DEVELOPMENT AREA NO. 1 WITHIN THE CITY OF LANSING AND TO REPEAL SECTIONS 36-94 THROUGH 36-99.24A OF THE CODE OF THE CITY OF LANSING, EFFECTIVE JULY 1, 1981.

The City of Lansing Ordains:

Section 1. That Chapter 36, Article XA of the Code of the City of Lansing, Michigan be amended by adding new sections to be numbered 36-99.24A and 36-99.24B to read as follows:

Sec. 36-99.24A. **Plan Phase Down.**

The phase down of the Community Development Program in the amended Physical Development Plan for Neighborhood Development Area No. 1 shall be implemented by the Redevelopment Division not accepting any applications for loans and grants by the Citizens' District Council No. 1 not initiating any additional public improvements and/or acquisitions after January 30, 1981. Subject to the above, the following activities as outlined in the amended Physical Development Plan for Neighborhood Development Area No. 1 will continue until June 30, 1981:

The **completion** of the issuance of search warrants permitting the Building Safety and Development Department to inspect the properties not involved in the Rehabilitation program and the enforcement of the Uniform Housing Code.

The **completion** of Rehabilitation work until the houses meet the established rehabilitation standards of Neighborhood Development Area No. 1.

The **completion** of code items until the houses meet the Uniform Housing Code as specified.

The **reservation** of funds to finance rehabilitation, acquisition, and projects not completed.

The **transfer** of all unencumbered funds to approved Community Development Block Grant activities.

Sec. 36-99.24B. **Plan Termination.**

Sections 36-94 through 36-99.24A of Article XA of the Code of the City of Lansing are hereby repealed. This section shall become effective July 1, 1981.

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance shall take effect thirty (30) days from its passage unless given immediate effect by the City Council.

By COUNCILMAN WORTHINGTON—

Resolved by the City Council of the City of Lansing:

This ordinance being necessary for the immediate preservation for the public peace, health or safety shall take effect upon its passage.

Carried.

**ORDINANCE NO. 586**

By COUNCILMAN LINDEMANN—

Resolved by the City Council of the City of Lansing, that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by revising Section 9E-1 of said Code for the adoption of the Electrical Code, be placed on order of immediate passage.

By COUNCILMAN LINDEMANN—

Resolved by the City Council of the City of Lansing, that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by revising Section 9E-1 of said Code for the adoption of the Electrical Code, be now passed.

Adopted by the following vote:

Unanimously.

**ORDINANCE NO 586**

CHAPTER 9E — BUILDING CODE ELECTRICAL

AN ORDINANCE OF THE CTY OF LANSING, MICHIGAN, PROVIDING THAT THE CODE OF ORDINANCES, CITY OF LANSING, BE AMENDED BY REVISING SECTION 9E-1 OF SAID CODE.

Sec. 9E-1. **Adoption of Electrical Code.**

That certain document or booklet accompanying this chapter, an official copy of which is on file in the office of the City Clerk of the City of Lansing, being marked and designated as the National Electrical Code, 1981 Edition, published by the National Fire Protection Association, is hereby adopted and made part of the "Lansing Uniform Electrical Code" pursuant to the authority vested in the City of Lansing by the Home Rule Act, being MCLA 117.1 et seq.; MSA 5.2071 et seq.

This code provides regulations for the edection, installation, alteration, repair, relocation, replacement, addition to, use or maintenance of electrical systems.

This ordinance shall become effective ninety (90) days after the date of passage.

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By COUNCILMAN ADADO—

Resolved by the City Council of the City of Lansing:

That the rules of the Council be waived for the purpose of presenting items that are not listed on the agenda.

Carried.

Letter from Lansing School District submitting a resolution adopted by the Lansing Board of Education in support of Oldsmobile's pending tax abatement.

Referred to Committee on Economic Development.

Request from the National Foundation of the March of Dimes requesting permission to do street corner solicitation in the downtown area on January 23, 1981 from 11:30 a.m. to 1:30 p.m. in connection with the Mothers' March.

By COUNCILMAN GUNTHER—

That permission be granted.

Carried.

By COUNCILMAN ADADO—

Resolved by the City Council of the City of Lansing:

Whereas, January 18-24, 1981, has been designated National Jaycee Week, to focus attention on the role of this community service organization; and

Whereas, the 310 Michigan Chapters will celebrate the 61st anniversary of the state organization, while the Lansing Jaycees are marking 52 years of local service; and

Whereas, the Jaycees provide leadership training for men aged 18 through 36 by sponsoring community action projects throughout the year; and

Whereas, Lansing Jaycees can be justifiably proud of their annual Oktoberfest which is always a success both in participation and fund raising; and

Whereas, a new Jaycee project is the Lansing Riverfest, a Labor Day Weekend celebration begun in 1980 under the cosponsorship of the Jaycees, the City of Lansing, and local labor unions;

Now, Therefore, Be It Resolved, the Lansing City Council hereby recognizes National Jaycee Week, January 18-24, 1981, and salutes members of the Lansing Jaycees for their many fine accomplishments.

Adopted by the following vote:

Unanimously.

By COMMITTEE OF THE WHOLE—

Resolved by the City Council of the City of Lansing:

That the following transfer be approved:

$395.00 from General Fund—Estimated Revenue
A/C 101-000-000-160

$395.00 to Special Programs—Parks & Recreation
A/C 101-725-500-882

I hereby certify that this is a properly drawn and eligible transfer.

JAMES W. DOWSETT,
Finance Director.

Adopted by the following vote:

Unanimously.

## REMARKS BY THE MAYOR'S EXECUTIVE ASSISTANT

No remarks.

## REMARKS BY THE CITY COUNCIL

Councilman Blair, McKane, Adado and Worthington spoke in regard to traffic problem that exists on Boston Blvd. and meetings that are being held to solve the problem.

Carl Godding, attorney, representing developers of "100 block," spoke.

Tim Hammond asked about snow at bus stops in downtown area.

By COUNCILMAN ADADO—

That this meeting stand adjourned.

Carried.

Council adjourned at 8:20 p.m.

THEO FULTON,
City Clerk.

Lansing, Michigan

January 19, 1981

F/B

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CITY CLERK'S OFFICE
Room 921, City Hall
Lansing, Michigan 48933

Address Correction Requested

BULK RATE
U. S. POSTAGE
PAID
Permit No. 1461
Lansing, Michigan



# OFFICIAL PROCEEDINGS OF
# THE CITY COUNCIL
## OF THE CITY OF LANSING

## Proceedings, January 26, 1981

CITY COUNCIL ROOMS

Lansing, Michigan

January 26, 1981

The City Council of the City of Lansing, Michigan, met in regular session and was called to order by President Belen.

Present: Councilmen Adado, Belen, Blair, Brenke, Gunther, Lindemann, McKane, Worthington—8.

Absent: None.

The Clerk announced that a quorum of the Council was present.

Invocation was given by Councilman Adado.

Pledge of Allegiance was led by Councilman Adado.

By COUNCILMAN McKANE—

That the Council Proceedings of January 5 and 12, 1981, be approved.

Carried.

PUBLIC HEARINGS

January 26, 1981, at 7:00 o'clock being the time set as the time for holding a public hearing on the proposed order to demolish or make safe a vacant residential structure located at 139 Isbell Street.

The Council President announced that if there was anyone present who had any suggstions or objections to make to the proposed demolition they had the privilege of speaking at this time.

Referred to Committee on Public Property and Safety.

CDBG PROJECTS AND BUDGET

CITY CLERK:

This is the time set for a public hearing on the proposed programs and budget for the Seventh Year Community Development Block Grant application. The programs and budget have been submitted to City Council by the Mayor and are consistent with the three year strategy adopted by

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this Council and submitted to the Department of Housing and Urban Development as a part of the Fifth Year Block Grant Application. The programs to be funded include: peripheral rehabilitation, public improvements, and Neighborhood Improvement Program support in the Westside, Eastside, Northside and Southside Neighborhood Strategy Areas, support for the NSA Section 8 program in the Westside NSA, additional funds for Neighborhood Development Area No. 4, continued support for the Citywide Rehab program, and the Code Enforcement Program, Diamond Reo Area public improvements and selective acquisition, park improvements in the coachlight area of the city, assistance in the conversion of the Foster Street School to a community center, and the continued administration of the program. Nearly a million dollars is being reprogrammed from prior years to help accomplish this year's goals and to begin the phase out process of old accounts. The total CDBG budget for year seven is $3,084,270. This grant amount may vary depending on HUD's final allocation which has not yet been finalized.

COUNCIL PRESIDENT BELEN:

The purpose of this public hearing is to receive citizens' comments relative to the Community Development Program and the seventh year application, which includes the Housing Assistance Plan.

A summary of the programs and budget have been available in the City Clerk's office and have also been distributed here at Council tonight.

At this time I would like to introduce Mr. Robert Harris of the City Planning Department who will provide additional details on the Project and Budget:

MR. HARRIS:

Presentation.

COUNCIL PRESIDENT BELEN:

If anyone wishes to express additional needs or comment on the proposed program and budget, please do so at this time.

Ken Sperber, 1109 Orchard St., speaking for the Citizens Advisory Committee of the Foster Street School spoke in support.

Robert Hull, 425 S. Holmes St., representing the East Side Neighborhood Association, spoke.

Referred to Committee on General Services.

## HEARINGS ON PROPOSED CHANGES IN ZONING CLASSIFICATIONS

January 26, 1981, at 7:00 o'clock being the time set as the time for holding a hearing on the proposed changes in the Classifications as provided for in the Zoning Code, which was passed by the City Council on November 13, 1958, said proposed amendment being as follows:

That the property described as:

Z-53-79—North of Skye Road,

be rezoned from a "CUP" Community Unit Plan District to a revised "CUP" Community Unit Plan District.

The following persons spoke both for Z-53-79 and Z-41-80:

Vernon Magee, 2304 Bedford Rd.

Doug Finley, 2216 Bedford Rd., spoke on the Lewton Neighborhood Plan.

Linda Fuller, 3633 Cooley Dr.

Mrs. Audrey Magee, 2304 Bedford Rd.

Burton Brown, 2519 Skye Rd.

Mary Chesley, 3121 Glasgow Dr.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed amend to the Classifications provided for in the Zoning Code he had the privilege of speaking at this time.

Referred to Committee on Physical Development.

January 26, 1981, at 7:00 o'clock being the time set as the time for holding a hearing on the proposed changes in the Classifications as provided for in the Zoning Code, which was passed by the City Council on November 13, 1958, said proposed amendment being as follows:

That the property described as:

Z-41-80—3223 W. Mt. Hope Avenue,

be rezoned from "A" One Family Residential District to a "DM-1" Multiple Family Dwelling and "C" Two Family Residential District.

Persons speaking of Z-53-79 spoke also for this.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed amendment to the Classifications provided for in the Zoning Code he had the privilege of speaking at this time.

Referred to Committee on Physical Development.

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January 26, 1981, at 7:00 o'clock being the time set as the time for holding a hearing on the proposed changes in the Classifications as provided for in the Zoning Code which was passed by the City Council on November 13, 1958, said proposed amendment being as follows:

That the property described as:

Z-34-80—N.W. corner of Dell Road and I-96,

be rezoned from "A" One Family Residential District to a "DM" Multiple Family Dwelling District.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed amendment to the Classifications provided for in the Zoning Code he had the privilege of speaking at this time.

Objections were made to the proposed amendment.

Letter from Roslyn Peacock in opposition to rezoning.

Letter from W. G. Allen in opposition.

The following persons spoke:

Bill Allen, 6814 Kingdon Rd., representing the Mill Pond Village, spoke and presented petitions in opposition.

Lori Trout, 6717 Helman Rd.

Mari Roberts, 6715 Helman Blvd., presented letter opposing rezoning.

Ron Reeves, 1100 Barr.

Roslyn Peacock, 6713 Helman Rd.

Mr. Born, representing the petitioner and Mill Pond Village, spoke.

Phyllis Herbert, 6722 Kingdon Rd.

Mr. Trout, 6717 Helman Rd.

Jerry Beard, 6718 Kingdon.

Referred to Committee on Physical Development.

January 26, 1981, at 7:00 o'clock being the time set as the time for holding a hearing on the proposed changes in the Classifications as provided for in the Zoning Code, which was passed by the City Council on November 13, 1958, said proposed amendment being as follows:

That the property described as:

Z-36-80—4000 Block S. Cedar Street,

be rezoned from "J" Parking, "F" Commercial, "E-1" Drive-In Shop Districts and "A" One Family Residential District to a "F" Commercial District.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed amendment to the Classifications provided for in the Zoning Code he had the privilege of speaking at this time.

No objections were made to the proposed amendment.

Referred to Committee on Physical Development.

January 26, 1981, at 7:00 o'clock being the time set as the time for holding a hearing on the proposed changes in the Classifications as provided for in the Zoning Code, which was passed by the City Council on November 13, 1958, said proposed amendment being as follows:

That the property described as:

Z-39-80—3532 W. Jolly Road,

be rezoned from a "CUP" Community Unit Plan District to a "DM" Multiple Family Dwelling District.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed amendment to the Classifications provided for in the Zoning Code he had the privilege of speaking at this time.

No objections were made to the proposed amendment.

Referred to Committee on Physical Development.

January 26, 1981, at 7:00 o'clock being the time set as the time for holding a hearing on the proposed changes in the Classifications as provided for in the Zoning Code, which was passed by the City Council on November 13, 1958, said proposed amendment being as follows:

That the property described as:

Z-40-80—2300 block N. High Street,

be rezoned from a "B" One Family Residential District to a "J" Parking District.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed amendment to the Classifications provided for in the Zoning Code he had the privilege of speaking at this time.

Rose Lopez, 2312 N. High St., spoke in opposition.

Referred to Committee on Physical Development.

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January 26, 1981, at 7:00 o'clock being the time set as the time for holding a hearing on the proposed changes in the Classifications as provided for in the Zoning Code, which was passed by the City Council on November 13, 1958, said proposed amendment being as follows:

That the property described as:

Z-42-80—4600 block W. Jolly Road,

be rezoned from "A" One Family Residential District to "F" Commercial District.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed amendment to the Classifications provided for in the Zoning Code he had the privilege of speaking at this time.

No objections were made to the proposed amendment.

Referred to Committee on Physical Development.

**THE PUBLIC MAY NOW ADDRESS THE CITY COUNCIL ON ANY OF THE FOLLOWING ITEMS LISTED ON THE AGENDA. COMMUNICATIONS AND PETITIONS, COMMITTEE REPORTS, REPORTS OF CITY OFFICERS AND BOARDS AND RESOLUTIONS. YOU MAY SPEAK ONLY FOR 3 MINUTES ON ANY ONE ITEM.**

Orrin Sharpe, 1646 Wellington Rd., read the following letter:

January 26, 1981

President Lucile Belen and Members
of the Lansing City Council

Lansing City Hall, 10th Floor

Lansing, Michigan 48933

Subject: Demetrios Sazani, Manager of the Lansing Civic Center

Dear President Belen and Members of the Lansing City Council:

Tonight the Mayor is recommending an individual for appointment to the Civic Center Board. I do not know who that individual is at this time, but I want to convey a few thoughts to you for consideration as each new appointment to the Civic Center Board is being reviewed. Although the Civic Center Board is classified as an administrative board (advisory), it is still essential that the members of that Board carry out their responsibilities in an unbiased and objective manner. I am particularly concerned about this being understood at this point in time due to recent developments in the relationship between the Mayor and the Civic Center manager. Therefore, I request that you consider the following thoughts and comments.

There have been some people in my lifetime that I met and instantly felt a sense of respect and admiration for. Mr. Demetrios Sazani is one of those individuals. After four years of knowing Mr. Sazani I have not waivered in my original feelings. He is an intelligent, knowledgeable, sensitive and sincere man who is committed to effective and efficient government. According to a recent article in the Lansing State Journal, entitled, "Graves-Sazani showdown looms," Mr. Sazani's personal character and ability is under attack. Before I direct my personal views on this matter to you, I want to relate to you what others have had to say about Mr. Sazani, others who are supposedly in position to know and reflect accurately upon him.

On January 29, 1980, the Mayor gave his Annual State of the City Message. I quote portions of that message:'

> "I am pleased to report facility rental increased by 36% over rentals in 1977 and that total attendance at all events nearly doubled between 1977 and 1978. Increases in the number and musical diversity of concerts, as well as trade shows and conventions, accounts for this increased use. The management at the Civic Center continues to improve the financial status of the facility. The seats were up 45% from 1977 while, despite spiraling inflation, expenditures increased by 26%. Certainly we are moving in the right direction as we provide a more adequate and more efficient Civic Center facility to our citizens."

About November of 1980, the Civic Center Board rendered its annual evaluation of Civic Center operations to the Mayor's Office. I quote portions of that report:

> "Status of Services. The primary function of the staff is serving Civic Center lessees. This function is successfully being achieved with increased rentals and a reduced staff. As examples, in October 1980 the building usage increased 25% over October 1979. For the past four months, July through October, rental receipts increased 13% over the comparable period in 1979. The staff has been reduced from 28 regular and four CETA employees to 24 regular employees. This enviable achievement was made in spite of rising costs exemplified by a more than doubling utility cost."
>
> "General Comments. It is the feeling of the Board that the manager and his staff are very competent. They are continually expanding programs to the community. The increase in functions, in spite of the economic down-turn, helps not only the income of the Civic Center but also the many merchants that sell

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support services such as food and housing. The Board strongly recommends that the Civic Center be allowed to operate as a private business rather than a political entity. The management has a continuing program of promotional mail and advertising, the results of which can be seen by the many organizations making use of our fine facility. Many comments are heard on the cleanliness of the building and the fine service and cooperation of the personnel."

The above quotations are a matter of public record. In retrospect, I believe you can all recall the problems that existed at the Civic Center at the time Mr. Sazani became the manager. There were continuous problems with critical inspections by the State of Michigan Health Department as well as other significant problems. For four consecutive years Mr. Sazani has returned funds to the city coffers from budgets recommended and approved by the Mayor. This past fiscal year, approximately $65,000 of the budget subsidy was returned. I do not believe that any other city activity has approached this noteworthy achievement.

The Civic Center was a "white elephant" with little or no improvement in operations for many years until the Civic Center Board and the Lansing City Council pushed for a change in management, management that had the expertise to make progress.

Most everything I have said is based upon facts, facts that cannot be disputed. It is encumbent upon you as the elected public legislature to protect public administrators who are unjustly treated for political purposes. Here again is a standard example of chastizing a public employee for no good reason at all, when that employee should probably be awarded for accomplishment. History is repeating itself and I trust that in this case you will support Mr. Sazani by negating any improper action taken by any member or members of the city's administrative structure. You can enhance this objective by accuring that any Civic Center Board appointee recommended be one that is truly unbiased and objectively oriented.

Yours truly,

ORRIN E. SHARP.

Recessed for 10 minutes at 9:00 p.m.; reconvened at 9:14 p.m.

## COMMUNICATIONS AND PETITIONS

Card of appreciation from family of Frank Fitzgerald.

Received and placed on file.

Summons filed in Circuit Court by County of Wayne by Phillip S. Jones vs. City of Lansing, City of Lansing Traffic and Parking Division, City of Lansing Board of Water and Light, Grand Trunk Western Railroad Co., and Guiffre Brothers Crane, Inc., for injuries sustained due to being in an accident with a train due to low clearance warning signals and lights not working.

Referred to Mayor, City Attorney.

Claim filed by Rosemary Watkins in 54A District Court vs. City of Lansing for damage to her garage at 1220 Hillsdale St. when city took down some trees.

Referred to Mayor, City Attorney.

Duane Bone, Builder, submits final plat of Glenburne No. 5 Subdivision with filing fee.

Referred to Mayor, Planning Board.

Request from The Lansing Chapter of the Society for the Preservation and Encouragement of Barbershop Quartet Singing in America, Inc., for special 24-hour liquor permit on February 21, 1981—National Guard Armory.

Referred to Mayor, Committee on General Services.

Letter from The East Side Commercial Club supporting the $1.00 entrance fee at Potter Park.

Referred to Mayor, Committee on Public Property and Safety.

Letter from Carl Fenner in regard to loss of City Tree Program in Lansing.

Referred to Mayor, Committee on Public Property and Safety.

Letter from Capitol Pest Control, Inc., requesting permission to use a pistol with bird shot for control of raccoons and squirrels in situations where they are causing damage to houses or property within the jurisdiction of the City.

Referred to Mayor.

Letters from the Michigan Municipal League relative:

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Labor Relations Data Bank Service.

Submitting a Federal Information Bulletin.

Submitting notice of the Annual Regional Meeting to be held on March 12, 1981, at Hillsdale, Michigan.

Referred to Mayor, Council Members.

Letter from Mrs. Tom Champaas in regard to the televising of the City Council meetings.

Received and placed on file.

Letter from Roy Markey in answer to letters from Mr. George Fulton relative dirt bank at the rear of Mr. Fulton's property.

Received and placed on file.

Letter from State of Michigan, Department of Natural Resources submitting a flood plain permit for Mr. Richard Fry.

Received and placed on file.

## MAYOR COMMENTS ON ANY ITEM ON THE AGENDA

The Mayor read the following State of the City Message:

Paragraphs indicated by an asterisk (*) were not read by the Mayor.

Monday, January 26, 1981

Council President Lucile Belen and
Members of the Lansing City Council

10th Floor, City Hall

Lansing, Michigan 48933

Dear Council President and Members:

Pursuant to Article 4, Section 4-102.4 of the City Charter, I am submitting to you my Annual State of the City Message. This report contains a brief summary of the activities of the various City departments during 1980; comments on the organization of the City government; and a summary of the financial condition of the City. While the report concentrates on the year just ended, I will attempt where appropriate to identify specific goals for 1981. I ask for City Council's **support and cooperation** to bring Lansing forward to meet the health, safety and public welfare needs of **our** citizens at the least possible cost.

The challenges before us will place more demands upon the City than we have known at any time in years past. Resources from the Federal government are diminishing in response to public outcry for a more nearly balanced budget, and for reduced Federal involvement at the local level. The State government is making drastic spending cuts as it suffers from its worst financial crisis since the Great Depression. The national economy has been slow to recover, and the Michigan economy has been slower yet. Interest rates at record levels have made for more cautious, studied investment decisions within the private sector, resulting in reduced building activity in Lansing, and therefore, less tax base development to provide the resources for future public benefits. Unemployment continues at unfortunately high levels in Lansing, thus increasing the demand on human services, as well as, creating an environment conducive to criminal behavior and further demands on the City's law enforcement personnel.

And, every one of our citizens feels the burden of inflation, which does more to increase the taxes our citizens pay than anything the City government can do to reduce those taxes.

Let me pledge now, though, that **I will not propose any tax rate increase this year,** and I have directed the City departments in their budget submissions to **find the means to provide whatever tax rate decrease may be possible.** This may be realized through further efficiencies in provision of City services, or may be through additional reductions in City services **where those reductions do not substantially impair the health, safety and welfare of our citizens.**

Yet, with that general background, the City finds itself with as great a need as ever for capital improvements. More of our streets are at an unacceptable level than ever before, as State funds for street maintenance decrease. The City continues to work toward compliance with mandates from the Michigan Department of Natural Resources for sewer separation and elimination of sewer overflows directly into our rivers. And, the City continues to be confronted with interim demands for public expenditures—demands from constituent groups for "one-shot" land or building purchases, park improvements or "emergency" funding for human service programs whose other funding sources have dried up. **I beseech City Council to deny such requests outside of the budget process,** for such requests cannot be consolidated into the City's overall goals in this manner. Unless agreement can be reached on the City's goals, by City Council providing clear direction in its policies for this administration, then financial chaos may result. And, if Lansing is to adequately respond to the challenges of the 1980's, it must be done through our mutual support and cooperation. I believe we have made strides in that direction, and I pledge myself to further this effort. In return, I anticipate City Council's full support of our agreed-upon goals.

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## DEPARTMENTAL ACTIVITIES, PROGRAMS AND SERVICES

### BUILDING SAFETY AND DEVELOPMENT DEPARTMENT

The effects of the present recession may clearly be seen in the activities of the Building Safety and Development Department, after a record year in 1979, in number of building permits and permit valuation. Permits in 1980, totaled 1,354 compared to the record 1,620 in the previous year; however, this is still within the average for the decade previous and reffects upon the general stability of Lansing's economy. Permit value in 1980, reached a record $59.2 million, although nearly half of that total was accounted for in the $26.8 million expansion at Sparrow Hospital. Altogether, the Department generated $334,366 in permit fees, approximately 8% less than in 1979. The total of all other permits issued by the Building Division was 4,938, 18% below 1979 figures but approximately equal to 1978. Charts of building and other permits (attachments 1 and 2) are shown in the back of this report, as is a list of commercial projects of special interest. **Considering economic circumstances nationally, I am pleased with the amount of construction activity Lansing has seen.**

* In addition to processing several thousand trash, grass and housing complaints, the Department made, as one of its major objectives, a concerted attempt to pressure owners of vacant, deteriorated structures to restore or demolish those buildings. Reasonable progress was made to that end, although the Department plans to continue these efforts in 1981. The slow residential resale market brought about a reduction in residential resale inspections from 745 in 1979, to 412 in 1980.

* The Residential Rehabilitation Section, funded through the Community Development Block Grant, was responsible for the rehabilitation of 162 residential structures to Neighborhood Development Area requirements. Specifications were prepared in all for 726 separate trade contracts, a large increase from 1979, to take advantage of favorable prices and provide work for local contractors. The Rehab Section was also involved in the design, bidding and construction supervision of the parking lot improvement projects on East Michigan Avenue and West Saginaw.

The major activity of the Redevelopment Division during 1980 was the Capitol Commons project. The recent announcement of a $935,000 Urban Development Action Grant from the U. S. Department of Housing and Urban Development is a significant achievement toward the construction of 116 market-rate, garden apartments, 30 subsidized family units and 200 elderly units, the first phase of the Capitol Commons development. Previously funded acquisition and relocation activities are now complete, and, **despite overreacting criticism from some nearby residents,** the sewer reconstruction for Capitol Commons is well underway. I anticipate much of the Capitol Commons construction will begin during 1981, bringing to fruition some eight years of efforts by the Redevelopment Division.

* The Redevelopment Division continued its heavy work program on Community Development Block Grant activities, completing acquisition, relocation and demolition activities in the West Side, East Side and the original North Side Neighborhood Development Areas. The Division continues its work with owners on housing rehabilitation in all the NDA's except the West Side, which City Council by ordinance has agreed to phase out. Vacant lots acquired through the program are being disposed of to adjacent property owners. The Division has also acquired 43 of the 45 homes in the expanded NDA No. 3 area, and has handled the peripheral area rehabilitation program to the extent funds are available.

* Similarly, the Division prepared contracts for the Section 312 Housing Rehabilitation Program, using the full $325,000 allocation (increased from $250,000 in 1979) for this 3% direct Federal loan program. The Division also handled implementation of the HIP-NIP program financed by the Michigan State Housing Development Authority, for residential rehabilitation.

The Division has also virtually completed its disposition of Urban Renewal properties. F & S Development Company has proposed to construct an office building on the parcel between Continental Caplevision and the Leonard Building, and Vintage Investment has submitted a proposal for a building directly across the Mall. R & R Development Company is negotiating for a second office building between the Business and Trade Center and the Michigan Dental Association Building, as well as, a luxury condominium, office and parking high-rise project at the northwest corner of Ottawa and the Washington Mall.

Construction has been completed on the $11 million Riverfront housing development, with that project now fully occupied, and the adjacent $1 million Riverfront Mall is now complete and substantially occupied.

The Division was also involved in the William A. Brenke Fish Ladder, securing the necessary additional funding from the State of Michigan to enable construction to begin this spring. The Division also handled the contracting for the parking lot improvements in the 2000 Block of East Michigan Avenue and the 900 Block of West Saginaw, and handled the appraisals for Edgewood Boulevard acquisition until that project was delayed by action of the U. S. District Court. **It is my sincere goal that substantial progress will be made to resolve all legal complications on this issue in 1981, for completion of Edgewood Boulevard so that this last major undeveloped area of the City may be opened up for new multi-family housing and new offices.**

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* The **Sealer of Weights and Measures** checked over 1,500 scales and re-weighed over 42,000 pre-packaged items for accuracy of labeled contents. The Sealer also issued gravel and mixer licenses, motor fuel device licenses and fuel truck licenses. The Building Safety and Development Department also provided staff assistance to the Air Pollution Board, which satisfactorily handled eight complaints during 1980.

## FIRE DEPARTMENT

I am proud to report that due to a significant upgrading of our fire equipment during the past few years, the Lansing Fire Department now has the most modern fire-fighting equipment and the outstanding paramedic program of any city in the State of Michigan. This modern equipment **helped reduce fire loss by 53% during the last two years,** from $3,191,590 in 1978, to $2,129,924 in 1979, and to $1,507,529 last year. **This represents a per capita loss of just $11.86 compared to the national average of $26.10 and a Michigan average of $21.11.** As shown in attachment 3, however, the demands for fire services are increasing at an alarming rate while the actual number of building fires has decreased during the last decade.

While arson continues to be one of the major fire problems in any large city, Lansing has been able to **reduce its arson loss by one-third,** with arson accounting for 18% of all fire loss. The "team approach" on arson investigations has proven to be very successful, with apprehensions on 65% of all arson fires. **This compares to arson arrests on just 25% of all fires nationally in 1979.**

* The new Engine No. 5 was placed in service in September at the Todd Street No. 5 Station at a cost of $77,800. It is capable of delivering 1,250 gallons of water per minute and is equipped with the first deck-mounted water monitor in the Department. In an attempt to lengthen the life expectancy of major fire apparatus, the Fire Department and Central Garage coordinated efforts to completely refurbish the body of the Engine No. 1 with the Squrt at a cots of $18,000. This should eliminate the need to replace this vehicle for an additinal ten years where replacement would cost approximately five to six times as much. Engine No. 4 was converted to diesel power, thus bringing all first line apparatus to diesel power. The Department also received two new diesel light plant generators, for Ladder No. 8 and Ladder No. 9.

Lansing's paramedic program is still considered the best in Michigan, with many other cities sending personnel to study Lansing's techniques. We have increased from 18 to 21 licensed paramedics and have three State-licensed parademic ambulances. Additionally, all new hires must now pass the emergency medical technician (EMI) exam and maintain an EMI license until reaching the rank of Engineer. The Department has received two new ambulances, costing a total of $59,493, with another $12,246 spent for equipment. In recognition of this outstanding emergency medical service, Lansing citizens have contributed $727.15 over the course of the year for purchase of additional paramedic equipment or for educational needs. In no other City program do citizens respond with such contributions to show appreciation for the quality of our services.

* To increase efficiency in emergency responses, the Dispatch Division in October received "add-on" equipment, enabling the dispatched to speak directly to the person calling the 911 Center for emergency response. This has had a measurable improvement in response time to emergency situations.

* The Training Division's "in station" schooling program has presented 175 hours of training tapes to fire personnel, using the government access Channel 28 on cable television. Through the use of a borrowed "pump simulator," the Training Division instructed 110 drivers of fire apparatus in water pumping simulated conditions while saving approximately 1,000 gallons of fuel compared to use of regular fire apparatus. Fire suppression personnel have received instruction in water rescue procedures from the State Department of Natural Resources in anticipation of salmon fishing in 1981.
* The Department continued its community programs with senior citizen groups, schools, parent-teacher associations and church groups on fire prevention and paramedic instruction. The Department has also achieved a 4% reduction in false alarms due to a stepped-up effort toward apprehension and conviction.

## PARKS AND RECREATION

One year ago in this message, I reported to you that utilization at some City parks has become "so intense, such as at Potter Park, that control actions became necessary. As you are aware, recommendations of the Zoo Society and the Park Board have not been acted upon by City Council, and a repetition of last summer's (1979) bad experiences may be expected." I believe my commitment to a safe, family-oriented parks system was shown in early spring when, **amid much criticism,** Potter Park was closed for one day rather than allow a threatened marijuana demonstration. However, with no further action, the general problems at Potter Park did re-occur until an unfortunate tragedy on July 6, brought a realization of the crisis at hand, City Council responded to the recommendation of the Parks Department to establish a vehicle parking fee—something I first suggested well over a year ago—and a horse-mounted officer.

Concurrently, I established a citizens advisory committee which worked very

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hard for the duration of the summer to provide a comprehensive report on Potter Park and an outline for Council actions. That report is now before Council for your approval.

Following Council action to establish the parking fee and mounted officer, over 10,500 vehicles entered Potter Park during its final two months of peak season, generating revenues well in excess of expenses. Recommendations for expenditure of those funds will be considered during the upcoming budget process, with the understanding that those funds will be devoted to Potter Park improvements. During those final two months of peak season, a great increase was seen in the family orientation and family participation at Potter Park, thus proving the merit in those control measure. **I urge City Council to adopt a continuation of this policy, so that troubles may be avoided before they begin in 1981.**

* In may other areas, the Parks Department was completing previously begun projects. This included $25,000 in repairs to the brick surface of the North Washington Mall, following Council's approval of my recommendation and the Parks Board recommendation that vehicular traffic be prohibited by ordinance on the Mall. Fencing was installed around the three lighted ballfields at Gier Park and Regent Park improvements were finished. Asphalt paving was completed on access roads at Washington Park and the Miller Road Senior Citizens Center, and the grading, parking lot, sidewalk and landscaping improvements were completed to the Scott Center, enabling it to be reopened for public use. Additional activities are now contemplated to more fully utilize this structure. The Dodge Mansion received its first major interior activity with the Family Christmas Program, which drew 7,500 persons over its six-day run at the start of December with the help of 600 volunteers.

The Department, through our efforts, additionally received a $457,577 grant for the renovation of the Moores Park Pool (first constructed in 1922 and one of the first public outdoor pools in Michigan), made possible with your adoption of the Urban Parks Recovery Program for the City of Lansing. A $66,800 grant was received in 1979, for Sheffield Park development, which will include a river overlook, dock, play area and parking. Implementation is now proceeding, following Council action in 1980, to reverse an earlier policy to require a "river drive" in this area. Architectural plans for both projects are now being contemplated, and construction should be done during the coming summer.

The Department also received a donation of 35 acres of property directly south of Sheffield Park and fronting on the Grand River from Mr. and Mrs. Francis Fine, to be named the Blanche Fine Park. **In light of the City's present financial circumstances, however, no development can be contemplated at this time.**

* One year ago, I reported to you that the Parks Department faced a major reduction in staff due to the changes in the Comprehensive Employment and Training Act (CETA) program and the City's inability to afford to maintain all park areas as had been done in the past. The Parks Department responded to this staff reduction with reassignment of work and crew responsibilities in order to improve field supervision. A reasonable grass cutting schedule was maintained in budgeted areas, although **City Council decisions to co-sponsor certain events diluted somewhat the ability to handle all routing assignments.** The unusual amounts of rain—which resulted in approximately 11,000 less rounds of golf being played in City courses in 1980 from 1979—added significant grass growth in park and cemetery areas which strained resources toward the end of the summer.

The staff ollocation and limit on facilities fixed competitive athletic opportunities offered through the Department. There were 350 teams in the softball program, 146 in basketball, 38 in flag football, 86 in baseball, and 92 in volleyball. The outdoor swimming program was down by 13,000 swimmers, due to the late July 1st dismissal date from school and to mechanical problems at the Moores Park Pool which will be corrected as part of the upcoming renovations. Outdoor skating at Washington Park was up substantially, with revenues increasing from $14,000 to nearly $27,000, partly due to the decision not to develop neighborhood ice rinks as a result of unusually warm winter weather.

* The Department provided staff for the Ethnic Festival and July 4th activities including the Capital City 10,000 meter run, canoe races, informal contests and games, and an estimated 25,000 people for the evening concert and fireworks. Poor weather adversely affected Lansing's first opportunity to host the Women's Major National Fastpitch Softball Tournament in August, but the improvements at Ranney Park, which was also the site for the very successful Big Ten Women's Softball Tournament held in April, were responsible for numerous requests regarding similar events which might be held at Ranney in the future.

* Among the City's service reduction in 1980, were the vector control and street tree planting programs. Mosquito control was maintained through June 30, but since that time vector control has been handled on a part-time basis emphasizing rat control. The Forestry Division focused efforts on tree trimming and removal functions, responding to 2,000 inspection calls and 1,600 storm damage calls, and spraying 3,000 trees for insect control on fruit development. However, nearly 900 street trees, which were removed during the year may not be able to be replaced in the near future. This will be a budgetary consideration.

## POLICE DEPARTMENT

The current economic conditions, coupled with high unemployment, have contributed

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to crime rate increases nationally. Lansing is not unique in this respect for here, too, we have experienced an increase in crime, **although this increase is the first in over 10 years.** The Police Department has responded to 7% more calls for service in 1980 over 1979, and for the year, Part I crimes for Lansing were up 14 percent. While this percentage was greater than the percentage increases nationally, it should be remembered that the years of crime decreases made for a very small base figure, so any increases appear very large on a percentage basis. **A summary is included in the back of this report** (attachment 4).

To deal with this increase, the Police Department has significantly expanded its efforts at crime prevention through community cooperation. For instance, the Crime Prevention Unit has expanded the Neighborhood Watch Program into several new areas of the City, and this has become the fastest growing crime prevention program. Meetings are attended on a regular basis with existing groups, and new areas are being sought to establish additional neighborhood watches. A continued "sting" program operated by the Criminal Intelligence Division recovered approximately $60,000 of stolen merchandise, of which about 80% of the recovered items were returned to their rightful owners. Through this effort, the Department obtained 60 warrants for 33 persons involved in "fencing" operations.

* The Department has also initiated a "call stacking" procedure, to give the district patrol officers the responsibility to prioritize calls for service in their areas. This procedure has permitted the officer to determine when less serious calls may be serviced, and has allowed reports to be written at more convenient times. Importantly, however, this enables the officer most familiar with a section of the City to respond to the most serious calls for service in that area.

Responding to the complaints of private businessmen and of the City Council, the Police Department expanded its foot patrol along East Michigan Avenue, increasing ten-fold the amount of beat assignments recorded compared to 1979. These were walked during the morning and afternoon shifts during regular business hours, for the most part. The Department also continued its highly successful Flexi-Patrol, with the primary goal of curtailing illegal prostitution activities on Michigan Avenue. Since its inception, the Flexi-Squad has opened 208 investigative reports which resulted in 232 arrests.

* As mentioned previously, the Department responded to the specific problems in Potter Park by assigning a Parks Security Officer to ride a mounted patrol there during the late summer, as a result of Council action which concurrently established a $1 parking fee at the Park. The mounted officer helped curb the general rowdyism, drug and alcohol abuse, disorderly conduct and fights which had for all practical purposes removed the park from family use.

Innovative efforts included the Spanish training seminars for all Patrol Bureau officers through the City's Human Relations Department, in which 143 officers took part, a high-risk training program which simulated situations of great bodily injury risk to the citizens, victim, perpetrator and the officer, and a revised traffic program to more effectively use the manpower available on traffic assignments. An article on the Spanish-training program is to be published in the May issue of the International Police Chief Magazine.

* The Department has virtually completed implementation of its computer aided dispatch system and 911 emergency telephone system, thus improving the efficiency, capability and safety of emergency services field units and reducing response time, as measured from the time of detection of the emergency to the time of arrival of the emergency services units.

**In the chart at the back of this report** (attachment 5), the effectiveness of the Stop Traffic Accidents Right (STAR) grant may be seen. With the extra personnel funded through this grant for traffic enforcement and public information, a substantial increase in traffic citations was recorded in 1978 and 1979, with a large decrease in citations during 1980, when the grant had expired. **However, 1980 had the smallest number of traffic accidents in Lansing during the last 10 years, for which the Police Department should be commended.**

## PUBLIC SERVICE

I reported to you last year on the critical situations facing the Public Service Department, and I believe this was borne out in amounts of work completed in 1980. While altogether the Department was involved in over $5 million in various construction projects, there was, in all, less work completed in 1980 than 1979, due to higher costs and reduced funding for those projects. For instance, 3.65 miles of major streets were resurfaced, compared to five miles in 1979; 7.20 miles of local streets resurfaced compared to eight miles in 1979; and 1.58 miles of alley paving compared to two miles in 1979.

Much of the other expenditures related to the requirements of the Michigan Department of Natural Resources (DNR). Over $450,000 was involved in the clean-up contracts for the Aurelius Road landfill, not including the consultant's fees. This project, however, was substantially under the engineer's estimate, for which the City is fortunate, and will result in the first two of three total phases being completed during 1981.

Responding to the DNR's orders to improve the City's sewer system and stop sewer overflows, the Department completed

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installation of the Jolly-Boettcher pumping station, costing $153,600; the East Side sewer separation contract, costing $227,355; and began the $893,948 sewer and street improvements contract for the Capitol Commons area, a project which came in nearly $200,000 under engineers' estimates. Another $1.6 million contract, funded largely through a grant from the U. S. Environmental Protection Agency (EPA) was awarded to an engineering firm to complete the City's Sewer System Evaluation Study (SSES), which will provide recommendations for the estimated $300 million yet to be spent on sewer improvements. After closing the antiquated asphalt plant in 1979, under DNR orders, the Department oversaw a $28,900 demolition contract for the asphalt plant in 1980.

The Department also coordinated major redevelopment contracts during 1980, including the Case Street sewer reconstruction, which at $121,000 was nearly $90,000 under engineers' estimates, and the final portion of the South Washington Mall construction, the 100 Block South, at $335,359. Landscape treatment for that block will be bid this coming spring. The Department also handled reconstruction of the East Elm Street Bridge, the latex resurfacing of the East Jolly Road and Clemens Street bridges, with nearly $400,000 involved in these contracts.

Although almost 73% of the City's residences are now using the solid waste "orange bag" refuse collection system, the subsidy for that system remains high. City Council responded to my recommendation to increase the user's portion of this service through higher orange bag prices in early 1980, which may account for the very slight reduction in total bags collected from 3.3 to 3.2 million. The increase in orange bag prices has not fully off-set the increases in costs for this program, however, as the City currently subsidizes each orange bag collected by approximately 11 cents. This may further increase the general fund subsidy to the solid waste program, which was $375,000 for the current fiscal year. This will be addressed further in the upcoming budget recommendations. The City continued its bulk pick-up and leaf pick-up programs **at no cost to the users**, with 7,450 bulk pick-up stops made during 1980 and 186,672 leaf bags collected. The solid waste program benefited from the purchase of six one-man packers in 1980, at a cost of $69,920 each, or $419,520 total, which will reduce the City's labor costs by $90,000 per year compared to the use of the old two-man packers. Also, the installation of short-wave radios in refuse trucks will bring better coordination in the refuse fleet operations.

On May 1 of last year, I recommended to you that City Council act to approve a Special Use Permit and rezoning for the City-owned property on Coleman Road for development of a sanitary landfill. I reported to you that the ultimate development of the site appears necessary to provide an economical solution to the City's immediate solid waste disposal needs. City Council has taken no action on that recommendation and I am concerned that failure to act will result in another private firm eventually acquiring the property and increasing landfill fees paid by the City and eventually by our taxpayers. As I reported to you in that May 1 communication: ". . . The City cannot and should not agree to proposals which may create undue legal liability for the City and which may impose an unwarranted economic burden on our citizens. We must carefully note the long range implications of proposals made by individuals in the private sector who, of course, are most concerned with their own interests. We must protect the City's interest for the benefit of all our citizenry."

* After many negotiations with the Michigan Department of Natural Resources, the Department concluded its work on March 10, 1980, to remove the sewer construction ban which had been imposed by the DNR. Only once all year, in early March, did the Wastewater Treatment Plant exceed the effluent permit limitation, a vast improvement over 1979. From the over 8.8 billion gallons processed during the year at the Wastewater Treatment Plant, the removal efficiency on biochemical oxygen demand was increased from 95.8% to 97.6% in 1980, while the removal efficiency for suspended solids remained at 98%.

The final 201 Facilities Plan for the sewage system was submitted to the DNR for review on April 30, 1980, and major modifications are pending to the Wastewater Treatment Plant, particularly for the incinerator which was taken out of service in 1980, due to its inability to meet DNR air pollution requirements. I regret that these demands for improvements imposed by the DNR have taken their toll on the sewer system's fund balance. For that reason, an interim sewer rate increase study has been recently completed and is under staff review, as was recommended in the budget message last year. I must inform you that sewer rate increases for the first time since 1975 will be recommended to you in the very near future. What becomes very, very apparent is that the greater the regulation by other government bureaucracies, the greater the costs to local governments and the tax-paying public.

The City of Lansing continues to be one of just a handful of major Michigan cities to plow residential streets with as little as four inches of snowfall—most cities now require at least six inches before plowing residential streets. In line with Council policy established a few years ago, the City continues the very expensive practice of plowing sidewalks and alleys after a four inch snowfall, as well. In our research, only East Lansing can be found among cities plowing sidewalks and alleys, and East Lansing is now re-evaluating that policy.

* **The Traffic Division** acquired a hot thermoplastic pavement marking machine in mid-1980, and completed application of

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thermoplastic material at 30% of the City's crosswalks and stopbars. This increased durability material has a life expectancy of three to five years compared to one year for paint, thus allowing more efficient use of field crews to perform other duties. The Traffic Division also made improvements to the over-height truck detection system on the south-bound Pennsylvania Avenue overpass of the Grand Trunk Railroad. A grant application is pending which would fund similar improvements for northbound Pennsylvania. New street name signs have been installed at 350 intersections, with new installation methods and mounting hardware proving effective to prevent sign vandalism. The Division also completed the changeover of seven formerly one-way streets to two-way traffic in the residential sections of the near west side River Island Area, as residents believed the change would reduce commuter traffic and provide a safer, more efficient street system.

* The **Parking Division** is completing nearly $593,000 in repairs to the four City-owned parking garages, with final work to be done in the spring. By using various alternatives from the bid package, the cost of this project was kept well below the earlier $1 million estimate. The Parking Division also has saved $50,000 through the conversion from full-time to contract personnel for attended areas downtown, for the period of July through December, and also saved $34,000 for the same period through the use of a custodial contract rather than full-time custodial personnel.

## HUMAN RESOURCES

The Human Resources Department managed contracts for 23 agencies funded with over $754,000 of City funds for human service programs. In addition to attendance of over 55,000 persons at impression 5 museum, the Department's contracts assisted an additional 15,000 individuals to receive service during the year, plus an additional 24,000 contacts being referred or provided with information. Services included child care, homebound meals and volunteer placement for the elderly, provision and coordination of services for handicappers, shelter for battered women and their children, health information, alcohol and drug treatment and prevention, landlord-tenant dispute resolution, provision and coordination of services for women through the Women's Bureau, money management counseling, treatment and prevention of child abuse and neglect, health services, supportive services and rehabilitation of delinquents and ex-offenders, employment referrals and placements, home mortgage counseling, emergency transportation, counseling referral and follow-up.

As a result of the general economic problems, more frequently individuals in need of services are presenting multiple problems which require attention. Meanwhile, agencies are paring down, cutting-back, combining services and laying off personnel as State funds are cut. **This has increased the pressure placed upon the City of Lansing** to provide continued or increased funding to these agencies, and will be a matter seriously reviewed during the upcoming budget. Here, **as in other areas of the City budget,** I must remind City Council that **it may not be possible to do all those things the City has been accustomed to doing in the past.**

* Highlights among service provided during the year include child care for 300 families through five funded day care centers, child abuse assessments for 253 families, assistance in the establishment of a spouse abuse shelter, nearly 40,000 homebound meals provided to 340 Lansing residents, 56,700 hours of volunteer service provided by the Retired Senior Volunteer Program, family assistance provided to 371 families by the Potter Park Neighborhood Association, alcoholism treatment for 400 Lansing residents, and provision of minor home repairs to 256 homes in the Community Development areas through the Youth Development Corporation.

## ADMINISTRATIVE SERVICES

* In its second year of existence, the Administrative Services Department, composed of the Central Garage, Building Maintenance and Property Management, Data Processing, Inventory Control and Warehousing, and Operational Services Divisions, has continued to reduce the costs of administration and support services to City government.

In the Central Garage Division, **the City's fleet was reduced by 13 vehicles scheduled for replacement, thereby reducing the expenditure for vehicles by approximately $100,000.** In addition, fuel efficient compact sedans were purchased at less cost than larger vehicles **and provided approximately a 3% reduction in fuel usage.** In another decision designed to enhance fuel economy, 16 diesel-powered Cutlasses were purchased for use in the marked Police fleet in lieu of gasoline-powered vehicles. The diesel units are expected to improve mileage by 5 to 6 miles per gallon. As these vehicles average nearly 45,000 miles per year, **an annual savings of approximately $2,000** per vehicle is anticipated.

* In a coordinated effort with the Public Service and Parks Departments, the Central Garage entered into a computer-oriented vehicle maintenance management program with MAINSTEM Corporation. Through this program, the City has already begun to identify ways to reduce vehicle maintenance costs.

In the **Building Maintenance and Property Management Division,** the conversion to contract custodial services was completed, **resulting in an annual savings of $134,000.** The first year of in-house maintenance services has resulted in many thou-

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sands of dollars being saved by avoiding the high cost of specialized, contract services. While too much time is still being spent on unscheduled maintenance, due to years of neglect of City-owned buildings, preventive maintenance is beginning to take hold and reduce costs. A computer scheduled preventive maintenance program is now being developed.

* At City Council's direction, the Property Manager has devoted a major effort to the acquisition of properties required for the convention/exhibition center. These services would have cost the City approximately $30,000 if a contract had been let with a purchasing agent experienced in acquiring properties under **U. S. Department of Housing and Urban Development (HUD) guidelines.**

Additionally, the Division during 1980, has continued its effort to dispose of unneeded City properties, selling 36 parcels of excess land totaling 10.5 acres and returning $95,000 to the general fund in direct sales plus added tax base for each ensuing year.

* **The Operational Services Division** has added a high-speed, high-volume copier capability to reduce the City's per copy costs and increase turn-around time for all departments. The Microfilm Section has made Lansing only the third City in the State to have a State government-approved records retention/destruction schedule, which will be fully implemented over the next three years.

* In the **Data Processing Division,** a new Burroughs B-6800 computer has been installed and existing programs have been revised for full activation which began at the start of this year. Separate terminals have been located in several departments for improved access to computer capabilities throughout the City. The Division has developed the System Development Control Process to adequately handle new uses of the computer and the Division has worked with the Mayor's Data Processing user's Advisory Group to evaluate over 50 requests for new computer services during 1980. The new computer equipment and sorely needed development procedures and plans have put Lansing at the forefront of municipal data processing in the State.

## FINANCE DEPARTMENT

The Finance Department, composed of the Office of the Director and the Divisions of Accounting, Assessment, Budget, Income Tax, Purchasing and Treasurer, has responsibility for overall financial management and planning, as well as, the administration of the City's retirement system. Extensive efforts are continuing in the area of financial planning to enable the City to maintain its stable financial position. These efforts have included:

**Accounting**—Improved control and monitoring of all expenditures and improved reporting to assist all departments in managing their operations. Through the speial efforts of this Division, Lansing was again awarded a Certificate of Conformance by the Municipal Finance Officers Association, **recognizing that the City's financial statements meet the highest standards of accounting excellence.** Only a handful of governmental units in Michigan have received this prestigious award. Currently, the Division is finishing its implementation with the Administrative Services Department to bring on-line the new computer equipment and related programs.

* **Assessment**—The on-going efforts of the Assessor's Office have resulted in the elimination of the equalization factor, applied by Ingham County, so that the property taxes paid by our citizens are as much as possible a true reflection of the values of their properties, and are not influenced by any outside agency.

* **Budget**—This Division has continued an extensive multi-year work program to provide comprehensive planning and analysis to assist me, and the City Council, in our review of budget requests. If we are to deal successfully with the previously cited fiscal problems, we will require an increasing effort from this Division of the excellent work that has been performed to date. This past year, as a result of the Division's work with all departments, year-end overruns were virtually eliminated.

* **Income Tax**—The continued importance of income tax collections to the City's financial stability is clear. The Division processed approximately 100,000 returns last year and issued over 60,000 refunds.

**Purchasing**—The rapid escalation of prices in all areas of goods and services is mitigated by careful, diligent efforts of this Division in preparation of over 130 bid specifications in 1980, two-thirds of which were for purchases in excess of $50,000, contract negotiations and other measures designed to obtain the greatest impact for the dollar. The Division also handles acquisition of Federal surplus items and **disposition of City property through auctions which brought $311,000 back to the City during the year.**

**Treasury—A reduction in staff required to perform existing services has resulted in a cost savings** while continuing to handle property tax collections and the centralized collection of all City funds.

* The Finance Department works closely with all other City departments to facilitate operations, insure that fiscal resources are maximized and provide the financial planning and monitoring that are essential to insure accountability in protection of public funds.

* The Fnance Department is cooperating with the Administrative Services Department to implement a Financial Management Application package which will provide more comprehensive and more timely processing of the City's fiscal transactions

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and reporting. By putting the City's financial data on-line, this will allow immediate access to information on costs, identification of revenue trends and other essential management data.

## DEPARTMENT OF LAW

The Law Department is responsible for advising and assisting elected officials and City departments and agencies in legal matters, as well as, for defending and prosecuting the interests of the City before all courts and administrative tribunals. In connection with those duties, **the Law Department issued 116 formal opinions** and rendered numerous informal opinions during 1980.

Additionally, the Department has been involved in the preparation and review of a number of major ordinances. Included are updated building, mechanical, electrical, plumbing and construction codes; review of a consultant's proposed zoning ordinance; preparing revisions to the City's human relations ordinance; adoption of a truck route ordinance; and various amendments to the Community Development ordinances.

The Department handled a number of particularly noteworthy cases which were settled or won by the City during the year, including:

1) **Michigan National Bank v City of Lansing**—wherein the Michigan Supreme Court denied leave for Michigan National Bank to appeal the Court of Appeals decision that its branch drive-in window auto tellers and vault doors were not tax exempt, a decision representing thousands of tax dollars to the City of Lansing.

2) **Councilman Blair and Councilman Hull v Lansing**—which was dismissed clearing the way for development of the Poxson Building site in conjunction with the 100 Block project.

* 3) **Firefighters v Lansing**—wherein the Supreme Court denied leave to appeal a decision sustaining the City's police and firemen's retirement board's calculation of retirement benefits.

4) **In Re. L. S. Good Co.**—wherein the City successfully challenged the order of a Wheeling, West Virginia, bankruptcy judge which enjoined the enforcement of local licensing and consumers protection laws on the J. W. Knapp Department store bankruptcy sale.

* 5) **Wigginton v Weed**—wherein a circuit court jury rejected a substantial monetary claim against the City based on an allegation of inadequate police protection.

The Department is currently representing the City in a number of cases before various courts.

* Typical of these are the following:

* 1) **Holmes v Lansing**—in which the plaintiff is challenging the appointment of the Personnel Director.

* 2) **Woodbridge Commons, et al v Lansing**—in which the order of Federal Judge Noel Fox restraining construction of Edgewood Boulevard is being appealed.

* 3) **Sinadinos v Lansing**—in which the denial of tax abatement to the Snuggery restaurant downtown is being challenged.

* 4) **Salazar v City of Lansing**—in which an ex-police officer is challenging his discharge.

* In addition to the above cases, the Department recommended disposition of almost 100 minor claims against the City during the year, while referring many personal injury claims to the City's insurance carrier.

Over the past year, the Department has attempted to improve the City's representation in worker's compensation matters, through increased utilization of medical examinations and depositions to more effectively deal with the increasing number of worker's compensation claims. **Specifically, benefits were denied in three claims involving a potential exposure of over $110,000 to the City,** and benefits were substantially reduced in a fourth claim. Also, seven redemptions were negotiated and approved by City Council on terms favorable to the City.

In its prosecutorial capacity, the Department has dealt with thousands of civil and criminal ordinance violations. Of particular importance was the complete revision of procedures for processing parking tickets under more complicated requirements mandated by new State laws. **Eight hundred and eleven criminal warrants were issued during 1980, compared with 357 warrants during 1979.**

* In zoning enforcement, the Department has attempted to improve its effectiveness by centralizing zoning files and ensuring that the same attorney who initiates an enforcement proceeding handles all follow-up of that case.

* The Department was also active in economic development, negotiating the grant agreement, architectural and construction management contracts for the proposed exhibition hall project and has assisted in the necessary land acquisition.

* The Department has also served as legal advisor to the Economic Development Corporation on its affairs. Staff have attended many meetings with Council committees, governmental officials and citizen groups to provide information and represent the City's interests from minor problems to major situations confronting the City. **tion matters, especially litigation, are in-**

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## PERSONNEL DEPARTMENT

Despite massive turnovers, due to retirements, in the Personnel Department's professional staff, significant progress was made in 1980. Collective bargaining agreements with all five of the City's bargaining units were scheduled for renegotiation this past June 30. Settlements have now been reached with the City's Firefighters, Teamsters, Fraternal Order of Police—Supervisory Division and the Lansing Independent Employees Union, the latter settlement reached via binding factfinding. The Fraternal Order of Police—Non-Supervisory Division is the only agreement still partially outstanding and remains the subject of a compulsory arbitration proceeding. The settlements already reached have appropriately dealt with legitimate employee needs, while retaining the necessary flexibility for the City to successfully meet the demands of the years ahead.

During the preceding twelve months, the Personnel Department accepted 6,797 applications for employment and placed 298 persons in either regular or seasonal jobs with the City. Promotions for 122 City employees were also approved.

* The **Manpower Division,** operating the Comprehensive Employment and Training Act (CETA) program for the City, certified 1,379 applications , of which 312 were enrolled in jobs with such agencies as the Capital Area Community Services, the Arts Council, Youth Development Corporation, Lansing School District, and the Center of Handicapper Affairs. Total program participation was 568 persons. In addition, the CETA program provides funding for prospective clerical workers at Davenport Business College, with some 50 participants acquiring employment skills during the program year. Another 272 participants were enrolled in other local educational institutions for training.

* Emphasis in the rules and regulations for administration of these programs promulgated by the Federal government continues to shift from the "employment" to "training" aspects of the legislation. This has had the effect of further limiting both the number and type of jobs for which CETA funding may be utilized. The impact of this shift has been to reduce the number of CETA positions available for assignment to City departments to only 28, from a peak of nearly 200 three years ago.

Efforts of the **Safety Division,** with the cooperation of the City's operating departments, helped **reduce employee work-related accidents by 7.7% for the ten month period ending last October.** This compares very favorably with national statistics, the latest of which show approximately a 4% increase in work-related injuries. For the same period, the number of disabling (lost time) injuries was 76 compared to 106 in the same period in 1979, or a **28.3% decrease. Nevertheless, worker's compensation matters, especially litigating, are increasing at a rapid pace and are continuing to consume more of the available staff time.**

## PLANNING DEPARTMENT

* The Planning Department has continued its provision of staff support for a variety of programs related to rehabilitation for all aspects of our community—economic development activities, downtown improvements, traffic studies, housing rehabilitation and Community Development Block Grant management, and the on-going revision of the City's master plan. In addition, the Department carried out its functions of zoning and plat reviews, zoning code enforcement, Act 285 reviews for land acquisition or disposition, and support for the Planning Board and the Board of Zoning Appeals.

The Planning Department has provided staff assistance for my Economic Development Advisory Group, which has reviewed requests for commercial or industrial tax abatement, as well as, project plans for Economic Development Corporation funding. **A total of 14 tax abatement requests, either commercial or industrial, were approved in 1980, representing investments of some $13 million, retention of over 900 jobs and the creation of 240 new jobs in Lansing. The four Council-approved EDC project plans totaled $5.3 million in new investment, retention of 184 jobs and creation of 241 new jobs.** Another 15 project district areas have been approved by City Council for additional new investment and new jobs coming into our community.

You have recently approved an industrial development district for Oldsmobile Division of General Motors Corporation **which** I believe is the most important of the tax abatement issues brought before you during 1980. The request for an industrial facilities exemption certificate will be before Council in the very near future, and **I urge your favorable consideration to that request which will bring $2 million in annual property taxes for the schools, the City, the County and Lansing Community College.** Some $400,000 of that new tax money will go for City services alone. Perhaps equally important, your approval on this request may signal such cooperation to General Motors that other plant investment decisions may be made for Lansing, and could lead to another major expansion of General Motors affecting Lansing and the surrounding area. Further, the tax abatement decision before you, if approved, will not be detrimental to the total Lansing tax picture. As reported to you earlier, all the previous industrial tax abatements combined have resulted in property taxes being waived on just 3.47% of the City's total tax base.

* The Planning Department also participated in development of a new Overall Economic Development Plan (OEDP) for the Tri-County Area, including a Lansing local place strategy and implementation program. The OEDP is presently before the U. S. Economic Development Administration for approval.

In addition, the Department assisted in our initial efforts to market the Diamond

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Reo property and some prospective users have been located. While high interest rates and the general economic downturn did not make 1980, favorable for serious development of the Reo site. **I pledge to you that one of my tasks in 1981, will be to actively promote the disposition and development of this property, with the goal of bringing new industry and new jobs into Lansing.**

* The Planning Department has been extremely involved in the 100 Block hotel-office project and the exhibition/convention facility. I am disappointed that the roller-coaster interest rates have delayed progress from what we all had hoped for by this time. I would remind City Council that my staff have made every effort to keep Council informed at every major juncture on the development of the 100 Block and the proposed exhibition project. Certainly, as new information unfolds on this matter, Council will be provided opportunities for policy direction whenever appropriate.

* Through the reorganization of the City previously sent to City Council, the Planning Department assumed the responsibilities for the Community Development Block Grant program. This included preparation of the Block Grant application for submission to the U. S. Department of Housing and Urban Development, preparation of the Housing Assistance Plan, the Community Development Grantee Performance Reports and overall program management. Much progress was made during 1980, to complete old projects from previous CD program years, and with the new emphasis placed by HUD on project implementation, the City must continue to clean up old projects to further streamline the CD program.

* The Department attempted to involve as many property owners as possible before the upcoming phase out of Neighborhood Development Area No. 1. A phase out of NDA No. 2 is projected within the next year, after better participating spurred by the Citizens' District Council in this area which has become more active and is exhibiting a leadership role as a citizens group. Participation in NDA No. 3 rehabilitation continues to lag due to the number of high cost rehab structures, some of which may have to be acquired. Soil problems in the Ballard Street area may necessitate further acquisition, based on available funds. The Planning staff spent a great deal of time and energy drafting the physical development plan in conjunction with the Citizens' District Council of NDA No. 4. The southside CDC has been one of the most active and promises to be supportive when implementation begins in 1981. The physical development plan in this area addresses a number of unusual land use problems, and deals with those problems with creative but practical solutions. In line with the direction from City Council, a recommendation on acquisition of four vacant structures and one vacant parcel for the Kingsley East area has been submitted and awaits Council action. The Planning Department also assisted in the preparation of the Urban Development Action Grant application for the Capitol Commons project, as well as, the Section 8 project to develop senior citizen housing in the older portion of the Capitol Park Motel.

As I recently advised you, construction on the Capitol Park renovation to develop 98 units for seniors and handicappers will begin by early spring. The $4.1 million project, being undertaken by J. Christopher Enterprises, will include major interior and etxerior renovation on the older portion of the building, as well as, new landscaping, parking for 60 vehicles, laundry facilities on each of the six floors, a central craft area, recreational facilities and a library. Relocation activities for present occupants have already begun.

* In transportation planning, the Department continued its efforts on the Intermodal Transportation Terminal, negotiating with the State government on grant funds for design of this structure and hiring an architect to develop those designs. The Department also developed another State funded grant for a "light rail" study along Michigan Avenue to East Lansing, to study the impacts of energy on future modes of transportation in Lansing. The first of three phases of a downtown parking study was completed and submitted to City Council, identifying alternatives to meet downtown parking needs.

The Department also coordinated a consultant's efforts to study much needed improvements to Aurelius Road on the south side, and **I hope design work can be completed in 1981, for those improvements to become a reality in 1982.**

The **Southwest Area Development Plan** was completed and adopted by the Planning Board on July 15, 1980. This was the second of four areas to undergo a major Master Plan revision, with approximately 60 citizens participating on a bi-weekly basis for nine months to develop this document. The Southeast Plan has also begun and should be completed during 1981.

* The Department also reviewed with the Planning Board 41 rezoning petitions, 14 special use permit requests, five foster care facilities, 16 proposed plats, 83 lot splits and 45 reviews of land acquisition or disposition under Act 285. With the Board of Zoning Appeals, another 33 zoning appeal cases were also reviewed. In zoning code enforcements, the Department handled 1,410 zoning complaints, issued 459 tickets for illegal front yard parking, reviewed all building permits, and approved 17 landscape plans and 24 major residential development proposals.

## OFFICE OF THE MAYOR

In addition to the immediate functions in the Mayor's Office handled by myself, my Executive Assistant and my Adminis-

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trative Assistant, the Office of the Mayor is responsible for the Civic Center, the Senior Center, the Office of Emergency Services, the Human Relations Office nd the Office of the Grants and Program Coordinator.

The **Civic Center** has increased bookings and gross revenue, despite the sluggish economy. Due to the Civic Center's advertising and promotion drive, more community groups are using the facilities for special affairs, weddings and church services. Prudden Hall and the Terrace Room are solidly booked a year in advance. Negotiations are now being finalized with the Lansing Symphony Association for use of the Civic Center as a permanent home for all rehearsals, concerts and benefit performances.

However, even though bookings remain reasonably high and Council has approved rental rate increases, the heavy labor burden at the Civic Center continues to make this operation a large money loser for the City. The annual subsidy from the City's General Fund, net of utilities, for the year ending June 30, 1980, was $190,000. For the present year, the subsidy is projected at $250,000, and for the Fiscal Year 1981-82, that projection is $303,000, plus $180,000 of utilities. The bonds which facilitated construction of the Civic Center are fully paid off, and the $3 million renovation completed two years ago is also paid for, so there are no major building charges accounted for in this projection. I have submitted to you a recommendation regarding the proposed exhibition building and 100 Block project which would obviate any concern of the City as to the profit or loss position of the exhibition space downtown. **In light of the Civic Center experience, I urge City Council to act favorably on the recommendation I have now before you.**

At the adjacent **Senior Center,** more programs and services have been offered to steadily increasing numbers of persons enjoying this facility. Older adults have had health screenings blood pressure tests, diabetic workshops and other health services available. A nutrition lunch is offered daily, as well as, the social, educational and craft workshops. The Center has maintained excellent relationships with approximately 30 older adult organizations, including the Tri-County Office on Aging, which is provided in-kind space; Retired Senior Volunteer Program; Parks and Recreation Senior Program; American Association of Retired Persons and the Lansing Community College's Center for Aging Education. The Senior Citizens Advisory Board established the principle of cooperative arrangements with community organizations in order to serve older adults with all available services and programs.

In August 1980, the Office of **Emergency Services** and Joint Command Post became operational in Room G-36 of City Hall. In 1980, Emergency Services was involved in 30 major emergencies—more than any previous 12 month period. The major emergencies involved weather watches, barricaded gunman operations, and major fires. Emergency plans were completely revised to reflect strategy and tactical changes in Civil Preparedness and High Risk Response Operations. The recent improvement in Joint Command Post facilities **increased the overall readiness evaluation from a 9% response capability to 95%—one of the highest in the nation.** The national average is 38%.

* The **Human Relations** staff have been very actively engaged in resolving conflicts in various neighborhoods in 1980. The economic effects of unemployment have brought about more leisure time and provided for more confrontations. Not all complaints are racially motivated or discriminatory, but there is a need for a mediator. On several occasions police officers have called for mutual assistance. The Human Relations Advisory Board convened many meetings in the community to develop a closer contact with citizens. Some meetings were held in conjunction with my Police Community Relations Advisory Board.

The Contract Compliance Unit of the Human Relations Department continued to monitor contractors and agencies seeking to do business with the City. This staff worked closely with Federal and State equal opportunity authorities and received excellent ratings on their performance and records. The implementation of the affirmative action responsibilities for the City, delegated to the Human Relations Office, has proven to be quite successful. An annual report on the status of affirmative action will be submitted to City Council in a separate communication. However, I do wish to advise you at this time that females and minorities in supervisory positions have dramatically increased during the past four years. The cooperation of all City departments in following affirmative action hiring procedures has resulted in advancement toward equal employment opportunity for all persons.

The **Office of the Grants and Program Coordinator** was totally or significantly involved in preparation of 19 grant applications during the year, of which only three were denied funding while another five remain pending at this time. These grants have brought nearly $12 million Federal dollars and nearly $200,000 State dollars into Lansing, and are helping to bring to fruition over $65 million in private investment at only a moderate outlay of City dollars.

The most significant grant, of course, is the $10.3 million Urban Development Action Grant for the exhibition facility related to the 100 Block hotel-office project, which will assist in creating a $49 million private investment in Lansing. **I must remind you that these funds will only be granted to the City if the downtown hotel and office project gets off the ground.** The $935,000 recently received for Capitol Commons will help trigger over $26 million in private investment for that project. The

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other significant grant is the $457,577 in Federal funds received for the Moores Park pool renovation, matched with $196,105 in City funds. A complete listing is included in the back of this report (attachment 6). These grants are vital to the completion of planned development in Lansing, to provide improvements to City-owned facilities, and provide employment opportunities which would not otherwise be available for construction workers and for our youth.

In my own office, I am proud of the coordination which has been achieved in working with all City departments and providing liaison with City Council and its committees. My office has handled nearly 900 citizen complaints this year, a substantial increase from last year, since citizens have more awareness that someone cares and that solutions can be achieved. This has been accomplished while working short-handed due to personnel vacancies which have saved the taxpayers severaly thousand dollars. **Every department in the City has been directed to achieve cost-savings wherever possible, and my office is no exception to that directive.**

Since the change in the City Charter in late 1978, I have been responsible to provide to you a State of the City message with specific requirements for information by the final Council meeting in January—that I have done. I have been required to submit an annual affirmative action report to you—that I have done. I have been required to submit budget recommendations to you by the fourth Monday in March—that I have done. And, I have been required to submit a list of board appointments to you by the first Council meeting in May—that I have done, in every case on time every year. Unfortunately, Council has not seen fit to fulfill its Charter obligation to approve persons I have appointed to Board positions by its deadline of its first meeting in June. **I am asking that City Council take whatever action is necessary to avoid harassment from one or two Council members of these persons in the community who are willing to serve on these advisory boards.** This in no way to encourage quality citizens input on these important positions.

Further, I would point out to you that when I took office in 1969, there were just 11 women among all the City's Board appointments. Now, there are 65. **I believe this exemplified my commitment to seek out qualified persons of all sexes and all races and from all walks of life for these very important City appointments.**

## ACTIVITIES OF CITY AGENCIES

### BOARD OF WATER AND LIGHT

The Board of Water and Light marked its 95th year of utility service to Lansing early in 1980. During this milestone year the Board made progress on several major projects while continuing to offer reliable electric, water and steam service.

The most viable improvement project is the $18 million chimney construction at the Eckert/Moores Park power plant. Concrete work, which when completed will stretch more than 600 feet skyward, is now substantially finished on one stack and more than half done on the other two multi-flue chimneys. These smokestacks will not be operational until late 1982, **and are another example of the exorbitant requirements of the U. S. Environmental Protection Agency (EPA), which are directly costing our citizens higher utility bills and higher taxes.**

The Board took a significant step toward adding more coal-fired electric generation to its system to meet the needs of the 1980s. Engineering work has begun on a second unit for the Board's Erickson power plant in Delta Township. A target date of April, 1987, has been established for operation of this turbine generator, **with construction costs ranging up to $230 million, depending upon the types of pollution control equipment required for the new unit by the EPA** and the exact design and size of the turbine generator.

* Board of Water and Light General Manager Earl F. Brush was elected President of the American Public Power Association (APPA) in 1980, the third Board General Manager to hold this prestigious post.

The APPA represents more than 1,400 publicly-owned utilities. The eight member Board, meanwhile, named its first woman to serve as chairman when Sister Mary Janice Belen was elected at mid-year for the terms beginning July 1.

**Coal costs continued to soar in 1980, to more than $50 per ton, delivered, compared to $31.69 per ton just three years ago and $8.80 in March, 1970.** The Board generated more than two billion kilowatt hours of electricity this year and delivered nearly nine billion gallons of water to its customers. This compares to 1.5 billion kilowatt hours of electricity and eight billion gallons of water 10 years ago.

* The Board continued to work with all segments of customers on energy management and conservation. The Public Information Department distributed material to help customers reduce electric and water usage in their day-to-day living. A special citizens committee, under the direction of Board member Tony Benavides, has begun to gear up for the Federally-mandated Residential Conservation Service (RCS) which will offer energy audits for a cost of not more than $10 for the average home beginning this spring. The Board has also worked closely with the Cable Television Advisory Committee in initiating live television broadcasts over Channel 28 of all meetings of the Board.

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## ECONOMIC DEVELOPMENT CORPORATION

The Economic Development Corporation, organized upon my request, by City Council resolution in 1976, had its busiest year ever in 1980, processing requests for bonding of $45 million and total investment of nearly $60 million. Eight bond issues have been closed through the year with another three nearly ready for closing, totaling altogether $17 million in EDC bonds and representing hundreds of jobs in the community.

On a daily basis, contacts have been received in the EDC office for financial information, advice, and data on Lansing, indicating the continuing opportunities for economic development. Several of these contacts are now in the financial packaging stage. The EDC is also developing an aggressive promotion program to reach more businesses and create diversity in Lansing's economic base. Since the issuance of tax-exempt bonds through the EDC is not feasible for amounts less than $200,000, the Corporation is working through other avenues on the Federal, State and local level to satisfy the needs of small loans for businesses, regardless of size.

A great deal of effort was spent in connection with two major projects, the 100 Block hotel-office development and the reuse of the J. W. Knapp store. The EDC worked for many weeks with several investors attempting to retain the Knapp's department store, and, as a result of these efforts, a $2 million loan guarantee for renovation of the store was offered through the U. S. Economic Development Administration (EDA). That guarantee is still available and the EDC is seeking to identify potentially interested investors. The major problem in finding a new purchaser is that the building valued by the City Assessor for $1,282,500, has five mortgages totaling $2.89 million on the property.

## LANSING HOUSING COMMISSION

The Lansing Housing Commission operates 890 units of rent-assisted housing, and during 1980, added the handling of assistance payments for the 99 units of the Somerset Senior Citizens development on Holmes Road. Another 367 families or individuals remain on waiting lists for housing commission units.

* The Housing Commission during 1980, revised several operating policies, including the revocation of bi-monthly payment of rents, to avoid operating losses in cases of delinquency; establishment of a one month's security deposit; a new system to charge back damages, other than regular wear and tear; and raising of rents for recipients of publisc assistance to the baximum amount allowable. The Commission anticipates adopting a new admission policy in 1981, for more explicit screening of applicants to contribute toward the goal of a stable social environment, as well as, safe, decent and sanitary housing.

The Commission was unsuccessful in a $1 million-plus grant application to the U. S. Department of Housing and Urban Development for modernization of the Mt. Vernon housing units, as only Detroit received modernization funds among cities in Michigan. The policy of the Federal government, regarding this matter, will be a negative for Lansing and other Michigan cities.

## REORGANIZATION OF THE CITY AGENCIES

* I am pleased to report to you that at this time, I am not proposing any major changes to the administrative structure of the City government. I believe the functioning and the interrelationships of the City departments are working very well, though I am studying minor changes and will implement if greater efficiencies can result. A high level of coordination has been achieved among City departments, and this helps to keep the costs of governmental operation as low as possible.

* I will be studying this matter further durfing the budget process, and may have additional remarks at that time as relates to the Fiscal Year 1981-82 budget.

* I do wish to elaborate on two comments made in this report one year ago pertaining to reorganization. The first has been mentioned earlier in this message: that of vehicle maintenance. A year ago, I suggested that a consolidation of fleet management may be necessary to reduce the City's fleet to the smallest size possible while still providing necessary service. **I suggested a cut of seven vehicles; in fact, we have cut 13.** However, with the MAINSTEM contract for vehicle maintenance in its early stages, I believe it would be premature to consolidate the City's fleet at this time.

* The second comment pertained to sharing of personnel between the Civic Center and Property Management. That has continued whenever possible, and I intend to further such personnel sharing in the future, within the parameters of negotiated contracts.

## FINANCIAL CONDITION OF THE CITY

With the continuing deep recession throughout Michigan and the generally weak economy nationally, there are a multitude of severe financial pressures affecting the City of Lansing. Cutbacks in State shared revenues, reduction in Federal funding of numerous programs and weak income tax collections have caused a substantial reduction in estimated revenues for the current fiscal year. **While the City was in a better than projected position at the end of Fiscal Year 1980, due in great**

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**part to several economy measures my administration implemented, the effect of that gain has been virtually eliminated by the reductions in revenue collections.** Further, the recent award on the Lansing Independent Employees Union (LIEU) of 12 to 14% through binding arbitration and the possibility of a like award on the Fraternal Order of Police Non-Supervisory Union will additionally weaken that position.

The State legislature has reduced by 50% its funding for City fire protection to State property, or a cut of over $85,000—this when that appropriation was previously paying only one-half of the cost permitted by law. On top of that, the partial funding was recently vetoed by Governor Milliken, and Lansing has been approached by other communities to join in possible legal action against the State for that reduction. As was previously reported to you, the State intangibles tax has been eliminated from two fiscal years for a total reduction of $286,000. The elimination of relative tax burden payments and the delay in receiving quarterly disbursements of State revenue sharing funds results in a loss of approximately $50,000. A reduction in the formula for allocating State income taxes results in a loss of $75,000, and our projected cut in Act 51 funding will be over $300,000 this fiscal year. The present City budget includes approximately $475,000 in General Funds for street work, alley surfacing, and curb and gutter repairs, and we will have to look to the General Fund again if we are to maintain our streets in even minimally good condition. I could continue the list endlessly. Some of these problems were beyond anyone's control. In other cases, the State government has made conscious decision to mitigate its difficulties by passing them on to local jurisdictions such as Lansing.

We are faced with a decreasing ability to carry out our existing services and, in reality, have little ability to undertake new ones, unless some others are eliminated. I have instructed my staff to identify and implement cost reduction measures. **Priority is being given to any such measures which have minimal impact to the public.** It will not be possible, however, to avoid service reductions in some areas.

The general economic problems, when **coupled with taxpayer dissatisfaction with ever increasing tax burdens, require action on our part.** I am committed to limiting the scope of governmental activities and reducing our expenditures wherever necessary to live within our resources. We offer many programs and services which only benefit special interest groups. I propose that these programs be limited to those which are fully self-supporting. I will be making policy recommendations to you with my budget message for an on-going process of establishing such fees and charges in order that our taxpayers do not unreasonably support those activities which are heavily used by non-Lansing residents.

To cut costs, we are going to have to recognize that City operations are labor intensive and that 75 - 80% of all City expenditures, or over $45 million in all funds are for salaries, fringe benefits and associated labor expenses. **We cannot meaningfully limit cost escalations without limiting staff.** This means, of course, an effect on the immediacy of service delivery. **Instantaneous response in non-life threatening situations is an extremely expensive capacity.** We must ask our citizens to support us in this regard. We can keep costs down but City Council and our citizens must understand and accept that this means not everything can be done at once. There will be some inconveniences. **The alternative is an ever escalating tax burden for every taxpayer.**

The City of Lansing has historically had a very stable economic base. But, with the depressed auto industry, cutbacks in State government employment and corresponding reductions at Michigan State University and Lansing Community College, we now face the very real probability that the Lansing economy will be in worse shape than the general State and national economies. Unless we can attract and retain industry, we will be forced to cut back further and further on services. The loss of State monies to repair roads and provide fire services are the first major reductions. Others will undoubtedly follow.

We can keep this City government in its historically stable financial position only through the most diligent efforts. We must make hard decisions. **We must say no to those very desirable but highly expensive non-essentials that some people expect from government.** We must consider the **overall** good for the entire community. Cost must be weighed against benefit—no other criteria will suffice.

## CONCERNS AND RECOMMENDATIONS

In reflection upon 1980, I believe that the City government and its departments are more than meeting the basic needs of our citizens. The City is providing quality services to insure the health, safety and welfare of our citizens at a level equal to or better than any other city in Michigan. At the same time, if we are to continue to perform as we have in the past, it will be absolutely necessary for City Council to adhere to its policies, once those policies are established. The demands of special interest groups cannot outweigh the good of the general community.

It must also be understood that as times change, the types of City services and programs must also change. In order to meet new demands from regulating agencies or new demands from our citizens, it may be necessary to eliminate programs which have fulfilled their purposes. The City will be forced to cut or reduce the scope in many service areas—we cannot continue every program **ad infinitum.** Where reductions are recommended, I will need your

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support in order to keep City taxes as low as possible for our citizens.

Further, I wish to remind you again that many of the increased costs of City operations relate to the overaggressiveness of the Federal and State regulating agencies. I am not opposed to clean air or clean water, or to fulfilling the rights of individuals which may have been previously denied. But, **I do not believe that local governments and individual taxpayers can support the corrective costs in just five or ten years for problems which have taken 200 years to develop, especially since the costs involved during the past 7 - 8 years alone approximate $100,000,000, AND with substantially more to come.** These Federal and State mandated costs are resulting in large increases for water, sewer and electrical costs to the taxpayers. How much more can the Federal and State governments mandate before the general citizenry erupts? The tax paying public needs time to breathe—to financially "catch-up"—and then go forward again. We should, therefore, be extremely interested in what the outlook will be from the New Administration in Washington, in terms of Federal government involvement in business and local affairs. I am hopeful that campaign promises to cut red tape will be transformed into meaningful changes in government over-regulation. **I, therefore, recommend** that you, in a formal manner, present these concerns to our Federal and State elected officials.

In regard to several other matters, I am concerned and request your assistance. Some of these matters are as follows:

## LANSING GENERAL HOSPITAL EGRESS AND INGRESS

The present traffic situation is causing havoc for the many households to the North of the Hospital. The traffic counts for the area are shown below:

| Street | 24 Hour Volume (vehicles per day) |
|---|---|
| Alpha Street* | 2500 |
| Devonshire Street* | 2400 |
| Harding Street* | 300 |
| Pacific Street | 2200 |
| Tisdale Street | 1900 |
| Lincoln Street | 1400 |

*South of Pacific Avenue

Residential streets that serve an immediate residential neighborhood should range from 200 to 500 vehicle trips per day. To add to the problem, 10% of the traffic on Alpha Street alone is truck traffic. It is obvious that through traffic **is the problem, and must be resolved.**

This issue has been studied and re-studied by the Planning Department—it has been talked about and re-talked about—it has been planned and re-planned. I am of the opinion that "enough is enough"—I ASK YOUR CONCURRENCE.

I am of the opinion, as is Lansing General Hospital, and is the neighborhood, that a completely new route, running East from Pennsylvania Avenue, is a necessity. The construction will not be cheap and the costs must be borne by the City of Lansing and Lansing General Hospital. Minus that, the new route cannot be done. The costs approximate $1,316,000.

The plan, as proposed, requires four parcels of land. Two of the parcels are already owned by the Hospital and will be deeded to the City without charge for construction of the roadway. The remaining two parcels will be acquired by the City with Hospital funds. The total estimated construction costs are as follows:

| | |
|---|---|
| Road Construction | $825,000 |
| Engineering | 125,000 |
| Demolition of the Properties | 41,000 |
| | $991,000 |

I am of the opinion that the City and Lansing General then share the balance of costs as estimated above. This will be most difficult. Therefore, I have requested the Grants Coordinator to pursue the filing of a grant request for the construction and engineering portion of the project with the Economic Development Administration of the U. S. Commerce Department.

## SUBSIDIZED HOUSING

In several communications to you in the years past, I advised that **the City of Lansing was doing more than its share** in providing government subsidized housing. I urged you to meet with other governmental policy making boards in the Tri-County Area to assure a fair distribution of such housing, **especially** in the category of "low income." **This has not been done.**

More recently, **I advised that, although Lansing has 37% of the households in the Tri-County Area, it has 59.7% of the total subsidized units, and the majority of "low income family" housing.**

Now the U. S. Department of Housing and Urban Development advises that it has approved **another 91 units of "low income family"** for the City, of which 69 are two bedrooms, and 22 are three bedrooms. Funds allocated will be in the amount of $6,435,821. HUD SEEKS YOUR CONCURRENCE OR NON-CONCURRENCE BEFORE MAY 15, 1981. Resolutions of your concurrence, or non-concurrence, will be forwarded to you.

**The Planning Department advises that**

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**said units could be located only in the areas shown on the attached map (attachment 7).** Having seen the difficulties resulting from the Mount Vernon Park Housing Project, I question the Planning Department.

Before you agree to accept, or disagree, I recommend that: (a) you set a Public Hearing; (b) you notify the residents of the area in question, so citizen participation is assured; and, (c) you meet with representatives of other policy making boards in the Tri-County Area to seek some semblence of order.

## DOWNTOWN REHABILITATION

For many months, my office, that of the City Attorney and the Economic Development Corporation have struggled with the unfortunate actions of the L. S. Good & Company, and specifically the J. W. Knapp Building. On Tuesday, January 20, the U. S. Bankruptcy Judge involved in the matter, **ordered the completion of the sale** of the J. W. Knapp Building by April 30, 1981.

One local group interested in purchasing the building for retail purposes is New Lansing, Inc. The City has been working with them. **We can further assist them.**

As you are aware, Act 255 for Commercial Rehabilitation provides that the City government may establish tax abatement districts at its own initiative, rather than necessarily waiting for those districts to be requested by the property owners. To assist in the rehabilitation of the most important retail facility downtown, **I recommend that City Council establish a commercial redevelopment district for the J. W. Knapp property, so that renovation of that property can begin as soon as possible after legal ownership is established.**

Regarding the intent of J. C. Penney Company to move out to the malls, the owners of that property will make decisions as to future use. The City will be in contact.

I have had an opportunity to recently review the preliminary drawings for renovation of the Michigan Theater property, which may be developed into a shopping mall with greater public appeal than any in the area. For this project to become reality, however, **your support is sought to encourage the developers to proceed with economically feasible plans, and without special favors to any particular groups who have some interest in the property, though not financially.**

I am pleased to advise that the landscaping portions of the 100 Block South Washington Mall will be completed early this year, finishing $1.8 million in improvements to the South Mall. I must remind City Council that the Master Plan for the downtown area, submitted to you approximately three years ago, included provisions to make similar improvements for Michigan Avenue from Grand to Capitol and to dress up the east-west streets through downtown. Funds are not currently available for these improvements, **but I must ask for your direction** as to whether City Council desires, in the long run, to continue this project as was recommended in that Master Plan.

Finally, I am proud to report that considerable progress has been made on the Department of Education building now under construction by the State of Michigan just south of Ottawa Street. This will bring many thousands of employees back into the downtown area. I must note, however, that this is just half of the construction which has been proposed to expand the Capitol Complex, and **I recommend that City Council adopt a resolution to forward to the State Legislature urging the construction of the chiller building, in line with existing State plans.**

## FOSTER CARE FACILITIES

Lansing continues to be inundated with requests to establish goster car facilities "all over town." I cannot abide by the excessive costs of taxpayers monies being used to develop some of these facilities and with little authority on the part of the City to say "no" to the State of Michigan. Therefore, **I request that you approve a resolution addressed to the State demanding a halt to the situation until a 5-year program can be provided in detail.** This will provide us with a comparison of our standing with other area governmental units, **will assist** various State departments, since some are already unaware what others are doing; and, will **let the citizenry of Lansing in on the great secrets, long before a new facility is dropped in their backyard.**

## EARLY RELEASE CENTERS

It has been brought to my attention that the **downtown Young Men's Christian Association (YMCA) building now devotes three full floors for housing early release parolees with minimal supervision.** I believe this presents a clear and present danger to our citizens downtown to have at present 65 or more of these individuals housed in this building, **some of whom are three and four-time convicted felons. Further, I understand that the Michigan Department of Corrections is contemplating use of one additional floor of the YMCA for as many as 35 more early release parolees.** I recognize the severe shortage now faced by the State of Michigan for adequate prison space, but I believe the State is purely irresponsible for turning this fine old building into a minimal security prison, slowly and without an opportunity for public comment, or City of Lansing input. **I urge City Council to take immediate action to request the Department of Corrections and the State Legislature to remove these persons** from the YMCA building and provide more reasonable facilities before serious crime shocks us all. The public has basically been unaware of this

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situation. The public has a right to comment on this very threatening matter, and City Council is in a position to encourage that comment.

## METROPOLITAN GOVERNMENT

Today, our area governments are in competition with each other, with the rest of the State, and the rest of the United States. For this area to remain competitive, the best form of government possible is necessary, to prevent the duplication of government services for public safety and public services. This type of government is the metropolitan government as found in Indianapolis, Minneapolis, and Nashville. The Michigan Constitution provides that the legislature ". . . may establish in metropolitan areas additional forms of government or authorities with powers, duties and jurisdictions as the legislature shall provide. Wherever possible, such additional forms of government or authorities shall be designed to perform multi-purpose functions rather than a single function." I would recommend to you that a merger of Lansing and the surrounding townships could provide such efficiencies, as have been achieved in the cities mentioned above, and **I would request that City Council adopt a resolution asking the legislature to study such a consolidation.** This would benefit the citizens throughout this area who are already receiving some City services, but not receiving the full benefits which might be provided to them.

**I recommend to you this approach for the good of all,** and request that you approve a resolution requesting the Michigan Legislature to undertake a study to the benefit of the area. Truly, this could be a model for other areas of the State of Michigan. I COMMEND THIS NECESSARY APPROACH TO YOU—especially for the good of today's youth, and the generations to follow.

FINALLY, I wish to add a word of caution. This is a very important year for the City of Lansing government, not only because of the problems facing us, of the tasks facing us, and of the opportunities before us. This is, of course, the year for our citizens to select a Mayor for the next four years, a City Clerk, and four members of the City Council.

I have not made a decision about whether I will seek re-election, but that is not of primary consequence in this request. I do, however, ask that we work together to solve our problems, to identify our goals, and to provide for the betterment of our citizens in our actions during 1981. The cause is too dear to allow ourselves to be mired down in election year politicking. With your cooperation, we can overlook petty politics and deal with the substantive issues that command our attention.

Sincerely,

GERALD W. GRAVES,
Mayor.

Received and placed on file.

## REPORTS OF CITY OFFICERS AND BOARDS

January 22, 1981

Honorable Mayor and
Members of the Lansing City Council

Mayor Graves and Council Members:

The Board of Zoning Appeals at their meeting of October 9, 1980, held an election for Chairman and Vice-Chairman to finish out the fiscal year of July 1980-1981.

The following were elected to serve as Chairman and Vice-Chairman:

Barbara Martin—Vice-Chairman

Edward H. Moyer—Chairman

This election in October, was held to fill the vacancies of those who were originally elected at the July meeting and resigned their office.

Secretary,

VERNON C. FOUNTAIN,
Board of Zoning Appeals.

Received and placed on file.

DATE: 1/16/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Submission of attached correspondence from the U. S. Department of Commerce Re: Neighborhood Statistics Program

The attached correspondence is submitted for your information.

GERALD W. GRAVES,
Mayor.

Received and placed on file.

DATE: 1/16/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Submission of attached correspondence from the Lansing School Board Re: Support of Oldsmobile's pending tax abatement request

The attached correspondence is submitted for your information.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Economic Development.

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

January 19, 1981

Council President Lucile Belen and
Members of the Lansing City Council

Lansing, Michigan 48933

10th Floor, City Hall

Dear Council President and Members:

Please be advised that Donald R. Simmons has found it necessary to resign as a member of the Waterfront Development Board due to the fact that he no longer resides in the City of Lansing. Therefore, I am submitting to you for your consideration and confirmation the name of Mrs. Lillian R. Scieszka to fill said vacancy, which term expires in June of 1984.

Mrs. Scieszka resides at 3227 Holiday Drive in the City of Lansing.

Trusting this recommendation meets with your approval, I remain

Sincerely,

GERALD W. GRAVES,
Mayor.

Referred to Committee on Physical Development.

January 19, 1981

Council President Lucile Belen and
Members of the Lansing City Council

10th Floor, City Hall

Lansing, Michigan 48933

Dear Council President and Members:

This is to advise that Rev. William H. Warren has found it necessary to resign as a member of the Board of Zoning Appeals. Therefore, I am submitting to you for your consideration and confirmation, the name of Robert L. Thompson to fill said vacancy, which term expires in June of 1983.

Mr. Thompson resides in the City of Lansing at 3200 Norwich and is currently employed as a Construction Manager for the Michigan State Housing Development Authority.

Trusting this recommendation meets with your approval, remain

Sincerely,

GERALD W. GRAVES,
Mayor.

Referred to Committee on Physical Development.

January 19, 1981

Council President Lucile Belen and
Members of the Lansing City Council

10th Floor, City Hall

Lansing, Michigan 48933

Dear Council President and Members:

In the recent past, John Lewis was transferred from the Elected Officers Compensation Commission to serve as a member of the Lansing Fire Board. Therefore, I am submitting to you for your consideration and confirmation the name of Neil A. McLean to fill said vacancy, which term expires on September 30, 1982.

Mr. McLean resides at 1829 Moores River Drive in the City of Lansing and is a practicing attorney with the firm of Glassen, Rhead, McLean and Campbell.

Trusting this recommendation meets with your approval, I remain

Sincerely,

GERALD W. GRAVES,
Mayor.

Referred to Committee of the Whole.

January 19, 1981

Council President Lucile Belen and
Members of the Lansing City Council

10th Floor, City Hall

Lansing, Michigan 48933

Dear Council President and Members:

Due to the untimely death of John R. Pettibone, a member of the Capital Area Transportation Authority, I am submitting to you for your consideration and approval, the name of Max D. Shunk to fill said vacancy, which term expires in June of 1984.

Mr. Shunk resides in the City of Lansing at 512 Village Drive and is currently retired from the Oldsmobile Division of the General Motors Corporation.

Trusting this recommendation meets with your approval, I remain

Sincerely,

GERALD W. GRAVES,
Mayor.

Referred to Committee of the Whole.

January 19, 1981

Council President Lucile Belen and
Members of the Lansing City Council

10th Floor, City Hall

Lansing, Michigan 48933

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

Dear Council President and Members:

This office has been advised by Joan Trezise that due to a conflict in her schedule and the meeting dates of the Civic Center Board, that she is unable to attend the metings. Therefore, I am recommending that you approve her transfer to the Human Resources Advisory Board to take the place of James Fielder who has recently resigned due to the fact that he no longer resides in the City of Lansing. The term of this position expires in June of 1984.

Ms. Trezise resides at 3635 Colchester Road in the City of Lansing; and, as she has been an excellent member of the Civic Center Board, I am sure that she will also be an asset to the Human Resources Board.

Secondly, we have been advised by Joe Popevich, a member of the Human Resources Advisory Board, that he no longer lives in the Third Ward of the City. Therefore, I am recommending that you approve his transfer from a Third Ward Representative on that Board to a Second Ward Representative, replacing Susan J. Phillips, who most recently resigned from the Board. His term will now expire in June of 1982.

Mr. Popevich now resides in the City of Lansing at 3600 S. Pennsylvania, Apt. 30; his continued service on this Board is greatly needed as he has been an enthusiastic and dedicated member.

Trusting the above meets with your approval, I remain

Sincerely,

GERALD W. GRAVES,
Mayor.

Referred to Committee on Public Property and Safety.

January 20, 1981

Council President Lucile Belen and
Members of the Lansing City Council

10th Floor, City Hall

Lansing, Michigan 48933

Dear Council President and Members:

This is to advise that I have appointed Steven G. Hosler and Joann Marshall to serve as members of the Mayor's Police Community Relations Advisory Board.

I have no doubt that both will be a great addition to the Board. Mr. Hosler is a former Lansing Police Officer and is currently a practiicing attorney in the City; Ms. Marshall is currently a junior high guidance counselor at Dwight Rich Junior High School.

Mr. Hosler resides at 1602 W. Mt. Hope Avenue and Ms. Marshall lives at 2321 Barstow, in the City of Lansing.

This communication is forwarded to you for informational purposes.

Sincerely,

GERALD W' GRAVES,
Mayor.

Referred to Committee on Public Property and Safety.

January 21, 1981

Council President Lucile Belen and
Members of the Lansing City Council

10th Floor, City Hall

Lansing, Michigan 48933

Dear Council President and Members:

This office has been advised by Kay D. Nees that it is no longer possible for her to serve as a member of the Lansing Housing Commission. Therefore, I am submitting to you for your consideration and confirmation, the name of Kathleen M. Rodgers, to fill the vacancy, which term expires in June of 1981.

Ms. Rodgers resides in the City of Lansing at 529 N. Pine.

Trusting this recommendation meets with your approval, I remain

Sincerely,

GERALD W. GRAVES,
Mayor.

Referred to Committee on Physical Development.

January 21, 1981

Council President Belen and
City Council Members

10th Floor, City Hall

Lansing, Michigan

Dear Council President Belen and
Council Members:

As you are aware, the City Council has adopted a policy allocating 1% of the General Fund/Revenue Sharing budget for Human Service programming. Although I do not yet know what the total budget for Fiscal Year 81-82 will be, I have had the Human Resources Department prepare recommended categorical allocation from tentative planning figures. Attached you will find these allocations recommended by the Human Resources Board and Director.

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I have also instructed the Human Resources Director to prepare her recommended allocations for an alternative budget in light of the severe fiscal issues facing the entire State. I am deeply concerned with the many issues facing the City and the need to carefully examine alternatives and assess impact of fiscal decisions.

While these allocations reflect maximums in categories, they are the recommendations of the Human Resources Board and Director on relative priorities. While I know that these are not the only possible allocations, I feel that they represent a fair and reasonable approach to a serious question. I concur with this recommendation and ask for your action.

If you have any questions on these allocations or budget Mrs. Warr and Mrs. Lazar will be available to meet with you.

Sincerely,

GERALD W. GRAVES,
Mayor.

Referred to Committee on Human Services.

January 20, 1981

Council President Belen and
City Council Members

Lansing City Council

10th Floor, City Hall

Lansing, Michigan 48933

Dear President Belen and
Council Members:

The City of Lansing submitted two grant applications for the development of Dietrich Park to the State of Michigan Department of Natural Resources Land and Water Conservation Fund (L&WCF). The initial application was awarded June 15, 1977, with the last being submitted January 31, 1980.

My office has been advised by the Department of Natural Resources that our application submitted January 31, 1980, has been awarded by amending our 1977 application, incorporating the budget and scope of services.

The initial application submitted in 1977 was a 50-50 matching grant for $53,800 (City Share $26,900 and State Share $26,900). The application has been increased to $106,000 (City Share $53,000 and State Share $53,000), which means we have recived a new grant of $52,200 (City Share $26,100 and State Share $26,100). The City Share is reserved in the General City-Grant Match Account.

Attached is a resolution accepting the additional grant funds from the Department of Natural Resources and authorizing the appropriate departments to proceed with the development. I recommend your concurrence and approval.

Sincerely,

GERALD W. GRAVES,
Mayor, City of Lansing.

Referred to Committee on Public Property and Safety.

January 23, 1981

Honorable Council President Lucile Belen
and Members of the Lansing City Council

10th Floor, City Hall

Lansing, Michigan 48933

Dear Council President and Members:

As directed in your resolution of November 10, 1980, please find attached a copy of the appraisal done of the Opper property in the 1300 and 1400 blocks of N. Turner Street. The appraisal done by Mr. Malcolm Milks indicates a value of $76,000 for this property.

As you recall, the City of Lansing on two previous occasions filed applications for grants which would have paid for half the purchase cost of this property. Those grants were not funded.

The acquisition by the City has been proposed to develop a parking lot to handle parking in this area which may result from fishing at the nearby William A. Brenke fish ladder.

I must advise City Council that I cannot recommend purchase of this property from any City funds available at this time. It is unfortunate that previous grant applications were not funded, but I cannot recommend such a large unbudgeted expenditure in light of the City's extreme financial conditions. Further, to develop the property for a parking lot would require demolition of an existing building and many additional thousands of contracted work.

Finally, I must remind you that 15 existing jobs at this location have already been displaced in view of City Council's expressed desire to acquire this property.

I have been informed that Mr. Opper is extremely anxious to receive notice from the City as to whether this property is to be purchased. Your direction is hereby requested.

Sincerely,

GERALD W. GRAVES,
Mayor.

Referred to Committee on Public Property and Safety and Committee on Physical Development.

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DATE: 1/22/81

To: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Public Service Director Re: Kalamazoo Street Railroad Grade Crossing Improvement

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to the Committee on Public Property and Safety.

DATE: 1/22/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Public Service Director Re: Jerome Street Closing

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

By COUNCILMAN ADADO—

That we concur in the recommendation of the Mayor and that said street be closed and that in the future no street will be closed until proper action by the Council has been taken.

Carried.

DATE: 1/22/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Mayor's Economic Development Advisory Group Re: EDC request for certification of Project Area, Designation of Project District Area and determination of the necessity of establishing a Project Citizens District Council for the Michigan Optometric Association Office Project

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Economic Development.

DATE: 1/22/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Mayor's Economic Development Advisory Group Re: Michigan Redevelopment District at northeast corner of Ionia and Pine Streets

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Economic Development.

DATE: 1/22/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Mayor's Economic Development Advisory Group Re: Fairview Heights Associates application for Commercial Facilities Exemption Certificate, 1612-16 E. Michigan Avenue

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Economic Development.

DATE: 1/22/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Public Service Director Re: Revised Utility Pavement Cut Fees and Related Indemnity Bonds

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Ways and Means.

DATE: 1/22/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached cor-

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respondence from the Planning Director
Re: LS-91-80—4306 Ingham Street

The attached correspondence is forwarded for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Physical Development.

DATE: 1/22/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Planning Director

Re: Z-45-80 700 Block of Call Street
Z-44-80 5303 S. Logan Street
Z-43-80 328 S. Butler Boulevard

The attached correspondence is forwarded for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Physical Development.

DATE: 1/22/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Planning Director
Re: P-6-79 Webster Farms No. 4 Subdivision Final Plat

The attached correspondence is forwarded for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Physical Development.

DATE: 1/22/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Planning Director
Re: 1539 N. High Street—Acquisition and Demolition

The attached correspondence is forwarded for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Physical Development.

DATE: 1/22/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Planning Director
Re: 285 Review of Cristo Rey Proposal for Mobile Classroom

The attached correspondence is forwarded for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Physical Development.

January 22, 1981

Honorable Council President Lucile Belen and Members of the Lansing City Council

10th Floor, City Hall

Lansing, Michigan 48933

Dear Council President and Members:

In accordance with Section 5-106.4 of the Lansing City Charter, I am forwarding to you the advisory board report for the Lansing Housing Commission. To date, you have received the reports of all City boards, with the exception of the Public Service Board, which I hope to forward in the very near future.

Sincerely,

GERALD W. GRAVES,
Mayor.

Received and placed on file.

January 22, 1981

Council President Lucile Belen and Members of the Lansing City Council

10th Floor, City Hall

Lansing, Michigan 48933

Dear Council President and Members:

On December 17, 1980, I forwarded a communication to you declaring the positions of Rosa Lee Chastine, Kathy Madden and Abdul Ansari vacant on Citizens' District Council No. 1. Listed below are my recommendations for your consideration and confirmation to fill the vacancies.

Howard Kittel
1514 W. Lenawee, Lansing, MI 48915

Replacing elected member Rosa Lee Chastine—term expiring on May 5, 1981.

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Ray Ruppert
450 West Street, Lansing, MI 48915

Replacing CDC representative Kathy Madden—term expiring May 5, 1981.

Eva Aldridge
300 S. Jenison, Lansing, MI 48915

Replacing NDA representative Abdul Bari-Ansari—term expiring May 5, 1981.

Trusting the above meets with your approval, I remain

Sincerely,

GERALD W. GRAVES,
Mayor.

Referred to Committee on Physical Development.

January 22, 1981

Honorable Council President Lucile Belen and Members of the Lansing City Council

10th Floor, City Hall

Lansing, Michigan 48933

Dear Council President and Members:

Please find attached correspondence from the Westdale Real Estate Company regarding the Genesee Center. Your recent resolution indicated that the Lansing School District could have the opportunity to purchase this property for $1.00 and demolish the building. I have been advised that the School District may no longer be interested in this property, and my office has written the School District to receive a formal indication of that understanding. Therefore, I would recommend that City Council review its policy in light of this interest from the private sector and resolve that the building be sold for private sector purposes.

Sincerely,

GERALD W. GRAVES,
MAYOR.

Referred to Committee on Public Property and Safety.

January 22, 1981

Honorable Council President Lucile Belen and Members of the Lansing City Council

10th Floor, City Hall

Lansing, Michigan 48933

Dear Council President and Members:

Please find attached correspondence from the City of Ann Arbor relative to the State of Michigan's decision to reduce payments to local governments for fire service protection of State owned properties. The City of Ann Arbor believes that this reduction is in violation of the Headlee Amendment.

As I have advised you, the State Legislature reduced the City of Lansing's funding for this service by 50%, and that appropriation was vetoed by Governor Milliken. Therefore, I would ask that City Council adopt a similar resolution to indicate the great concern of the City of Lansing for this recent action by the State government.

Sincerely,

GERALD W. GRAVES,
Mayor.

Referred to Committee of the Whole.

## RESOLUTIONS

By COUNCILMAN BRENKE—

Resolved by the City Council of the City of Lansing:

That the request of the Auto Body Credit Union for a 24-hour liquor permit for March 14, 1981, at the National Guard Armory located at 2500 South Washington Avenue is hereby approved provided the special 24-hour permit is obtained from the Liquor Control Commission.

Aodpted by the following vote:

Unanimously.

By COUNCILMAN WORTHINGTON—

Resolved by the City Council of the City of Lansing:

Whereas, the City of Lansing has decided to extend David Street so that David Street connects East High Street on the east with North Larch Street (U.S. 27) on the west in order to reroute truck traffic of Motor Wheel from the residential area around High Street and also to provide for more effective utilization of City streets; and

Whereas, the City of Lansing has obtained an EDA Title I grant of $600,000 for the development and construction of the David Street extension project; and

Whereas, the City of Lansing's Public Service and Planning Department has studied and planned the most appropriate route along which the David Street extension should be constructed; and

Whereas, the City of Lansing has expended substantial sums of monies to

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acquire various properties which exist within the proposed right-of-way of the David Street extension; and

Whereas, sixty-six (66) feet at the south end of the parcel of property located at 2002 North Larch Street lies within the right-of-way of the David Street extension; and

Whereas, the City of Lansing has made an offer to purchase the sixty-six (66) feet at the south end of the parcel of property located at 2002 North Larch Street; and

Whereas, the City of Lansing's offer is based upon a value determined by an appraiser; and

Whereas, the City of Lansing's offer has been refused by the property owners of the sixty-six (66) feet at the south end of the parcel of property located at 2002 North Larch Street;

Now, Therefore, Be It Resolved that the construction of the David Street extension would benefit the citizens of the City of Lansing by decreasing truck traffic from Motor Wheel in a residential area and result in more effective utilization of City streets; and be it

Further Resolved that the City of Lansing intends to construct the David Street extension; and be it

Further Resolved that the sixty-six (66) feet at the south end of the parcel of property located at 2002 North Larch Street which the City of Lansing has yet to acquire is necessary for the construction and operation of the David Street extension; and be it

Finally Resolved that the City Attorney's Office is hereby authorized to commence condemnation proceedings under State law in order to acquire the sixty-six (66) feet at the south end of the parcel of property located at 2002 North Larch Street.

Adopted by the following vote:

Unanimously.

By ECONOMIC DEVELOPMENT COMMITTEE—

Resolved by the City Council of the City of Lansing:

Whereas, it is necessary to hold a public hearing prior to the Council approval of a Commercial Redevelopment Exemption Certificate for the following petitioner,

Commercial Redevelopment District
CRD-15-80

Petitioner: Fairview Heights Association
1612 and 1616 E. Michigan Avenue

Therefore, Be It Resolved, that the City Clerk give at least 10 days notice of a public hearing when all persons interested may attend and make any objections they may have to the approval of the certificate, and

Further Resolved, that the City Clerk notify the legislative body of each taxing unit which levies ad valorem property taxes in the City, and

Further Resolved, that such hearing shall be held at the Council Chambers in the City Hall on February 16, 1981, at 7:00 p.m. and that notice of such hearing be published in a publication of general circulation of said City.

Adopted by the following vote:

Unanimously.

By ECONOMIC DEVELOPMENT COMMITTEE—

Resolved by the City Council of the City of Lansing:

Whereas, it is necessary to hold a public hearing on the proposed establishment of a Lansing Commercial Redevelopment District, CRD-1-81, Northeast corner Ionia and Pine Streets, requested by Michigan Optometric Association, more particularly described as:

The east ½ of the West ½ of Lots 7 and 8 of Block 87 of the Original Plat of the City of Lansing, Ingham County, Michigan; the West 41¼ feet of Lot 7 and the South 30¼ feet of the West 41¼ feet of Lot 8, Block 87, of the Original Plat of the City of Lansing, Ingham County, Michigan; the North 35½ feet of the West 41¼ feet of Lot 8, Block 87, Original Plat, City of Lansing, Ingham County, Michigan; and Lot No. 9, Block No. 87, Original Plat, of the City of Lansing, Ingham County, Michigan.

Now, Therefore, Be It Resolved that the City Clerk give at least ten (10) days notice of a public hearing when all persons interested may attend and make any objections they may have to such proposed district; and

Be It Further Resolved that such hearings be held at the Council Chambers in the City Hall on the 16th day of February, 1981 at 7:00 p.m.; and that notice of such hearing be published in a publication of general circulation in said city.

Adopted by the following vote:

Unanimously.

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By COMMITTEE ON PHYSICAL DEVELOPMENT—

Resolved by the City Council of the City of Lansing:

Whereas, the Lansing City Council has established a policy regarding the disposition of vacant lots in Neighborhood Development Areas; and

Whereas, Section 8-403.4 of the City Charter of the City of Lansing requires that City Council approve proposed sales of real estate,

Now, Therefore, Be It Resolved by the Lansing City Council that the following proposed sale be and is hereby approved:

To Gilbretta Berry, a single woman, the property legally described as the South 12 feet of Lot 4, except the East 66.33 feet thereof, Block 1, Handy Home Addition, City of Lansing, Ingham County, Michigan. (Portion of 1216 North High Street, No. 3301-10-154-281-5).

Adopted by the following vote:

Unanimously.

By PHYSICAL DEVELOPMENT COMMITTEE—

Resolved by the City Council of the City of Lansing:

Whereas, the City of Lansing has undertaken redevelopment and housing rehabilitation projects for the rehabilitation of blighted areas under the Community Development Program sponsored by the Department of Housing and Urban Development:

Whereas, Community Development funds have been allocated since August 6, 1980, for the acquisition and demolition of vacant and boarded-up substandard residential properties on overcrowded lots in the Kingsley East Area which constitute safety and health hazards and a negative visual impact on adjoining properties within the Westside Neighborhood Strategy Area No. 1;

Whereas, a notice of finding of no significant environmental impact has been published in the Lansing State Journal on the Kingsley East Acquisition and Clearance on June 10, 1980, and no adverse comments pertaining to this project have been received by the Office of the Mayor;

Whereas, the Lansing Planning Board, at their November 17, 1980, meeting recommended the acquisition of the following vacant, substandard structures located in the Kingsley East area be approved based on a recent housing inspection by the Building, Safety and Development Division:

1120 Chelsea

1119 Kingsley Court

1123 Kingsley Court

1128 Kingsley Court

Whereas, the Lansing Planning Board also recommends that the small vacant parcel at 232 S. Logan Street where the pedestrian overpass encroaches in the front and side yard be acquired if funds permit, so that development cannot occur on it in the future;

Now, Therefore, Be It Resolved that subject to the availability of funds the structures located at 1120 Chelsea, 1119, 1123, 1128 Kingsley Court be acquired and demolished and that the vacant lot at 232 S. Logan Street be acquired.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PUBLIC PROPERTIES AND SAFETY—

Resolved by the City Council of the City of Lansing:

Whereas, on July 28, 1980, the City Council adopted a resolution specifying policies and programs designed to solve or contain problems at Potter Park caused by disruptive individuals, and to re-establish the park as a family-oriented facility; and

Whereas, such programs included a horse-mounted security officer and a temporary parking fee of $1.00 per car to prevent vehicle "cruising"; and

Whereas, the experimental nature of these programs led to a public hearing on January 12, 1981, during which interested organizations, committees, and individuals commented on Council's programs and made recommendations for future policies;

Now, Therefore, Be It Resolved, the Lansing City Council hereby acknowledges and thanks members of the Potter Park Citizen Advisory Committee for their efforts and recommendations; and

Be It Further Resolved, the City Council hereby adopts a continuing work program to retain horse-mounted security officers for the Potter Park Complex; and

Be It Further Resolved, the City Council hereby establishes a motorized vehicle entrance fee of $1.00 per motorized vehicle at Potter Park to be collected at the entrance way to the parking area; and

Be It Further Resolved, all revenues in excess of expenses generated by the motorized vehicle entrance fee shall be designated only for capital improvements in the Potter

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Park Complex, including development of a master plan, through segregation from other general fund accounts. Expenses shall be limited to only the direct costs of collection of the fee. Such future park development plans shall be reviewed and commented upon by the Friends of the Zoo Society and the Parks Board prior to submission to the City Council; and

Be It Further Resolved, the Friends of Zoo Society, the City Parks Board, other interested citizen groups and individuals are requested to work with the Administration to make recommendations back to the City Council by February 1, 1982, regarding park fees and any improvements to park programs; and

Be It Further Resolved, the City Council reqquests the development of a master plan for the Potter Park Complex, including long term capital improvements and expansion of zoo facilities as needed; and

Be It Further Resolved, the Mayor is requested to have the Parks and Recreation Department maintain present activity programs for Potter Park designed to provide family recreation opportunities throughout the warm weather season; and

Be It Further Resolved, the Mayor is requested to have the Police Department regularly monitor on-street parking on residential streets near Potter Park to ensure that activities at Potter Park do not result in large-scale parking violations in the surrounding neighborhoods; and

Be It Further Resolved, the Administration is requested to include costs for the above-listed policies and programs in the Mayor's budget recommendation for fiscal year 1981-82; and

Be It Finally Resolved, the City Council takes no action at this time on other recommendations offered by the Mayor, the Citizen Advisory Committee, and other organizations and individuals. Upon review, many of these recommendations were found to be administrative in nature, and are therefore left to the discretion of the Mayor, while others would be more appropriately addressed in conjunction with the development of the master plan for the Potter Park Complex.

By COUNCILMAN LINDEMANN—

That Paragraph No. 8 be amended to read as follows:

"Be It Further Resolved, the Friends of the Zoo Society, the City Parks Board, Neighborhood Development Area No. 2, Citizens District Council and Lindbergh Drive Neighborhood Committee and other interested citizen groups and individuals are requested to work with the Administration to make recommendations back to the City Council by February 1, 1982, and annually thereafter through 1985 regarding park fees and any improvements to park programs; and"

Carried.

The resolution as amended was adopted by the following vote:

Unanimously.

By COMMITTEE ON WAYS AND MEANS—

Resolved by the City Council of the City of Lansing:

Whereas, eligible senior citizens and certain other groups may receive deferment of payment of summer taxes and penalties if proper application is filed with the local treasurer by September 15th, and

Whereas, the City Treasurer applied a 4% penalty to a late filing, but has recommended the waiver of that penalty for cause.

Now, Therefore, Be It Resolved, that the 4% penalty applied to the July tax payment for Mae Marceau, 1717 Quentin St., tax No. 3301-20-379-021 in the amount of $19.03, be waived.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON WAYS AND MEANS—

Resolved by the City Council of the City of Lansing:

Whereas, the City Council desires that Lansing residents be provided an equal level of fire protection services throughout all areas of the City within the limits of the annual budget appropriation for the Fire Department; and

Whereas, there exists an ample emergency fund to cover costs associated with major fires; and

Whereas, all fire alarms currently draw response from personnel and equipment from several stations; and

Whereas, the City Council's reasonable expectation of Fire Department service levels includes operation of all existing stations;

Now, Therefore, Be It Resolved, the City Council hereby authorizes the Mayor and Fire Chief to distribute Fire Department resources within the current budget appropriation as necessary to accomplish expected levels of service and to take appropriate administrative action to carry out the department's work programs in accordance with adopted priorities.

By COUNCILMAN McKANE—

This be referred to the Committee of the Whole and the Council President call a

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meeting including the Fire Chief, members of the Fire Board and if necessary a union representative to further discuss this matter.

Carried.

Councilman Blair asked for imput from the City Attorney on this matter.

By COMMITTEE ON WAYS AND MEANS—

Resolved by the City Council of the City of Lansing:

That the following transfer be approved:

$25,668.00 from Reserve for Contingency
A/C 101-941-000-963

$25,668.00 to Vehicles
A/C 101-222-000-985

I hereby certify that this is a properly drawn and eligible transfer.

JAMES W. DOWSETT,
Finance Director.

Approved:

TERRY J. McKANE,
WILLIAM A. BRENKE,
JACK D. GUNTHER,
Ways and Means Committee.

Adopted by the following vote:

Unanimously.

By COUNCILMEN WORTHINGTON-GUNTHER—

Resolved by the City Council of the City of Lansing:

That the rules of the Council be waived for the purpose of presenting items that are not listed on the agenda.

Carried.

Councilman Blair left the session.

By COUNCILMAN WORTHINGTON—

Resolved by the City Council of the City of Lansing:

Whereas, the failure of a city contractor to properly connect a sewer at 422 S. Butler Street has resulted in the back-up of raw sewage into the residence at that address; and

Whereas, the back-up of such sewage has created a substantial and continuing threat to the health and safety of the residents of 422 S. Butler and surrounding areas; and

Whereas, the residents of 422 S. Butler are financially unable to afford the cost of effecting a complete removal and clean-up of the resultant sewage without assistance from the City's Contractor or its insurer; and

Whereas, neither the contractor nor its insurer have provided such assistance;

Now, Therefore, Be It Resolved that the City of Lansing shall provide such assistance as it can to ensure that the accumulated sewage at 422 S. Butler is removed and the area cleaned and that the City may, if necessary spend up to $1,000.00 to accomplish such removal and clean-up provided, however, that the residents and owners of 422 S. Butler Street shall assign their right of action against the contractor and its insurer to recover such amount to the City of Lansing; and

Be It Further Resolved, that until such time as the contractor or its insurer has settled or offered reasonable settlement of the claim of the resident, of 422 S. Butler Street for damages due to the sewage or until such time as the City has caused such sewage to be removed and the area to be cleaned and recovered its costs for such removal and clean-up, the City of Lansing shall withhold payment of $1,000.00 from such amounts as are or may become due to the above-mentioned contractor pursuant to its contract with the City of Lansing.

By COUNCILMAN WORTHINGTON—

That the resolution be amended as follows:

That in paragraph 5 after the words "area cleaned" add the following wording, "by Thursday, January 29, 1981."

Carried.

The resolution as amended was adopted by the following vote:

Unanimously.

Councilman Blair returned to the session.

By COMMITTEE OF THE WHOLE—

Resolved by the City Council of the City of Lansing:

Whereas, the City of Lansing has been informed that certain monies are available

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through the Department of Natural Resources, Land and Water Conservation Fund Program; and,

Whereas, the City of Lansing submitted two applications for the development of Dietrich Park, one was awarded in 1977 and the second was submitted in 1980; and,

Whereas, the Department of Natural Resources has advised the 1980 grant for the development of Dietrich Park has been awarded by amending the City of Lansing's Dietrich Park application awarded in 1977, so that all project elements are kept in one grant; and,

Whereas, the initial application submitted in 1977 was a 50-50 matching grant for $53,800 (City share $26,900 and State share $26,900); and,

Whereas, the application has been increased to $106,000 (City share $53,000 and State share $53,000), which means we have received a new grant of $52,200 (City share $26,100 and State share $26,100); and,

Whereas, monies for the 1980 matching requirement are currently available in the Grant Match-General City Account; and,

Be It Finally Resolved, that the Mayor is authorized to sign all subsequent contracts and that the City Controller is authorized to set the necessary accounts for the implementation of the grant.

Adopted by the following vote:

Unanimously.

## REMARKS BY THE MAYOR

No remarks.

## REMARKS BY THE CITY COUNCIL

No remarks.

Robert Hull, 425 S. Holmes St., spoke relative to Civic Center.

By COUNCILMAN GUNTHER—

That this meeting stand adjourned.

Carried.

Council adjourned at 12:00 midnight.

THEO FULTON,
City Clerk.

Lansing, Michigan

January 26, 1981

F/B

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CITY CLERK'S OFFICE
Room 921, City Hall
Lansing, Michigan 48933

Address Correction Requested

BULK RATE
U. S. POSTAGE
PAID
Permit No. 1461
Lansing, Michigan



# OFFICIAL PROCEEDINGS OF
# THE CITY COUNCIL
## OF THE CITY OF LANSING

## Proceedings, February 2, 1981

CITY COUNCIL ROOMS

Lansing, Michigan

February 2, 1981

The City Council of the City of Lansing, Michigan, met in regular session and was called to order by President Belen.

Present: Councilmen Belen, Blair, Brenke, Gunther, Lindemann, McKane, Worthington—7.

Absent: Councilman Adado—1.

The Clerk anounced that a quorum of the Council was present.

Invocation was given by Councilman Gunther.

Pledge of Allegiance was led by Councilman Gunther.

**The PUBLIC MAY NOW ADDRESS THE CITY COUNCIL ON ANY OF THE FOLLOWING ITEMS LISTED ON THE AGENDA: COMMUNICATIONS AND PETITIONS, COMMITTEE REPORTS, REPORTS OF CITY OFFICERS AND BOARDS, AND RESOLUTIONS. YOU MAY SPEAK ONLY FOR 3 MINUTES ON ANY ONE ITEM.**

Under Letters from Mayor — letter "i" is not on as it was the same as letter "o."

COMMUNICATIONS AND PETITIONS

The following applications and bonds have been filed for licenses:

PUBLIC DRIVERS —

Kenneth M. Osmar, James A. Porter, William D. Quick, Charles D. Whittaker, Lynwood A. Wilton, David E. Shumaker, Bruce R. Gnegy, Kenneth H. Sainz, Jr.

SECOND HAND STORE —
Re-sale Market, Inc.

MECHANICAL DEVICE —
Holiday Inn.

Referred to Committee on General Services.

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Claim filed by Jesse M. Foreman for damage to automobile due to hitting a pot hole.

Referred to Mayor, City Attorney.

The following petitions were filed for rezoning:

Z-1-81 —

That part of lots 1, 2, 3, 4, 5, 8, 9, 10, 11 and 12, Block 148, Original Plat of the City of Lansing, Ingham County, Michigan, described as: Beginning on the North line of Block 148 at a point 122.0 feet East of the N.W. corner of Block 148, thence South 90.0 feet on a line 17.0 feet East of the East wall of the six story hotel; thence Southwesterly 7.1 feet; thence South 72.0 feet on a line 12.0 feet East of the East wall of the six story hotel; thence East 4.0 feet; thence South 168.0 feet to the South line of Lot 8; thence East 44.0 feet; thence South 163.0 feet to the South line of Lot 8; thence East 44.0 feet to the S.E. corner of Lot 8; thence North 33.0 feet on the East line of Lot 5; thence East 49.5 feet; thence South 33.0 feet to the South line of Lot 5; thence East 115.5 feet to the S.E. corner of Lot 5; thence North 330.0 feet on the East line of Block 148 to the N.E. corner of Block 148, thence West 208.0 feet on the North line of Block 148 to the point of beginning, City of Lansing, Ingham County, Michigan, from "D-1" Professional Office and "J" Parking Districts to "E" Apartment-Shop District — (500 S. Capitol Avenue).

Z-2-81 —

The street right-of-way of Woodlawn lying between the north r/o/w line of the East/West portion of Woodlawn, City of Lansing, Ingham County, Michigan, from a "Street right-of-way" to "J" Parking District — (1500 block of Woodlawn St.)

Referred to Mayor, Planning Board,

Petition filed requesting installation of alley lights between Grand River and Whyte St., High St., and New York Avenue.

Referred to Mayor, Board of Water and Light.

Request from New Way In, requesting extension of approval on their special use permit SUP-1-80 — property at 324 West Hillsdale St.

Referred to Mayor, Planning Board. Committee on Physical Development.

Letter from Greater Michigan Foundation in regard to Michigan Week — May 16-23, 1981 and the drawings for Mayor's Exchange.

Referred to Mayor, Council Members.

Request from The Friends of the Turner-Dodge House for official recognition from the City of Lansing.

Received and placed on file.

Request from the National Council on Alcoholism, Inc., for funding for the 1981-82 year.

Referred to Mayor, Committee on Human Services.

Department of Commerce, Bureau of the Census submits 1980 Census report update.

Received and placed on file.

Notice from Consumers Power Company on hearing to be held — February 2, 1981.

Received and placed on file.

State of Michigan, Public Service Commission, submits notice of hearing for Consumers Power Company for authority to amend or replace Rules 2, 12(f) and 13 of its Standard Rules and Regulations.

Received and placed on file.

Oldsmobile — Division of General Motors Corp., submits an application for an Industrial Facilities Exemption Certificate.

Referred to Mayor, Economic Development Board and Committee on Economic Development.

Barton-Malow Company submits a copy of the Schematic Outline Specifications prepared by TMP Associates and a copy of their line item estimate for the new Convention/Exhibition Facility.

Referred to Mayor, Committee of the Whole.

**MAYOR'S EXECUTIVE ASSISTANT COMMENTS ON ANY ITEM ON THE AGENDA.**

No comment.

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## REPORTS OF COMMITTEES

The COMMITTEE ON GENERAL SERVICES approves the following applications and bonds for licenses:

PUBLIC DRIVERS —
Kenneth Michael Osmar, James A. Porter, William D. Quick, Charles O. Whittaker, Lynwood A. Wilton.

SECOND HAND DEALER —
Re-sale Market, Inc.

MECHANICAL DEVICE —
Holiday Inn.

Signed:

PAT LINDEMANN,
WILLIAM A. BRENKE,
TERRY J. McKANE,
Committee on General Services.

By COUNCILMAN BRENKE—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

The COMMITTEE ON PUBLIC PROPERTIES AND SAFETY, to whom was referred the proposed purchase of the Opper property at 1300-1400 blocks of N. Turner Street, reports as follows:

Upon review of the appraisal and the purpose for which the property is proposed, this committee recommends approval of the purchase. The matter is hereby referred to the Committee on Ways and Means for details of funding.

Signed:

PAT LINDEMANN,
SIDNEY P. WORTHINGTON,
Committee on Public
Properties and Safety.

By COUNCILMAN LINDEMANN—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

## REPORTS OF CITY OFFICERS AND BOARDS

January 30, 1981

President Belen and Members
of the Lansing City Council

Re: Claim of John Hall in the amount of $810.00

Dear President Belen and Councilmembers:

Mr. John Hall has submitted a claim in the amount of $810.00 for damages and labor incurred as a result of a sewer backup at his residence at 1019 Pendelton precipitated by the severe thunderstorm which deluged the Lansing area during the late evening and early morning hours of August 19, and 20, 1980.

Information provided by the Public Service Department and an examination by this office of the telephone log during the period of the storm indicate numerous trouble calls and problems occurred as a result of the approximately three inches of rain which the Lansing area received between 11:00 p.m. and 2:00 a.m. on the date in question. The Public Service Department reveived calls regarding pumping station problems at six different locations. The first call regarding the Pendleton and Macon Pumping Station indicated an alarm was ringing and was received at 12:25 a.m. on August 20, 1980. Wastewater Division was notified, truck 118 responded, and discovered the pumping station operating but receiving more water than it could handle due to storm water entering the City of Lansing sanitary sewer line. Two additional calls were received by the Public Service Department between 12:25 a.m. and when contact was eventually made with Lansing Township at 2:06 a.m. Lansing Township indicated that a crew with a pump would be dispatched to transfer the overflow from the City of Lansing sanitary sewer line to the Lansing Township storm line. That truck apparently became lost and three additional calls were made by the City of Lansing to Lansing Township between 2:06 a.m. and 3:48 a.m. when truck 118 located the Township truck and guided them to the proper location for pumping purposes.

MCLA 691.1407; MSA 3.996(107) immunizes a municipality from tort liability where the municipality is engaged in the exercise and discharge of a governmental function. The term "governmental function" has been limited in scope by court decisions to include those activities which can be effectively accomplished only by government. See Parker v Highland Park, 414 Mich 183; 273 NW2d 403 (1978). In the instant case, it is clear that construction, operation and maintenance of the City of Lansing sewer system would fall within the confines of the aforementioned statute and case authority. It would follow that the City of Lansing is immune from liability even if it could be established that the Public Service Department was negligent on the date in question.

In view of the fact that the storm conditions on the night in question were an act of God and the City of Lansing responded reasonably to those conditions and the fact that the operation of the City's sewage system is clearly a governmnetal function, it is the recommendation of this office that this claim be denied.

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Respectfully submitted,

STEPHEN R. SAWYER,
City Attorney.

By COUNCILMAN WORTHINGTON—

That we concur in the recommendation of the City Attorney and said claim be denied.

Carried.

February 2, 1981

President Belen and Members
of the Lansing City Council

Re: Claim of James E. Sherry in the amount of $515.00

Dear President Belen and

Members of City Council:

Mr. James E. Sherry has submitted a claim in the amount of $515.00 for damages incurred as a result of a sewer back up at his residence at 1009 Pendleton.

Information provided by the Public Service Department and an examination by this office of the telephone log during the period of the storm indicate numerous trounble calls and problems occurred as a result of the approximately three inches of rain which the Lansing area received between 11:00 p.m. and 2:00 a.m. on the date in question. The Public Service Department received calls regarding pumping station problems at six different locations. The first call regarding the Pendleton and Macon Pumping Station indicated an alarm was ringing and was received at 12:25 a.m. on August 20, 1980. Wastewater Division was notified, truck 118 responded, and discovered the pumping station operating but receiving more water than it could handle due to storm water entering the City of Lansing sanitary sewer line. Two additional calls were received by the Public Service Department between 12:25 a.m. and when contact was eventually made with Lansing Township at 2:06 a.m. Lansing Township indicated that a crew with a pump would be dispatched to transfer the overflow from the City of Lansing sanitary sewer line to the Lansing Township storm line. That truck apparently became lost and three addiitonal calls were made by the City of Lansing to Lansing Township between 2:06 a.m. and 3:48 a.m. when truck 118 located the Township truck and guided them to the proper location for pumping purposes.

MCLA 691.1407; MSA 3.996(107) immunizes a municipality from tort liability where the municipality is engaged in the exercise and discharge of a governmental function. The term "governmental function" has been limited in scope by court decisions to include those activities which can be effectively accomplished only by government. See Parker v Highland Park, 414 Mich 183; 273 NW2d 403 (1978). In the instant case, it is clear that construction, operation and maintenance of the City of Lansing sewer system would fall within the confines of the aforementioned statute and case auhtority. It would follow that the City of Lansing is immune from liability even if it could be established that the Public Service Department was negligent on the date in question.

In view of the fact that the storm conditions on the night in question were an act of God and the City of Lansing responded reasonably to those conditions, and the fact that the operation of the City's sewage system is clearly a governmental function, it is the recommendation of this office that this claim be denied.

Respectfully submitted,

STEPHEN R. SAWYER,
City Attorney.

By COUNCILMAN WORTHINGTON—

That we concur in the recommendation of the City Attorney and said claim be denied.

Carried.

February 2, 1981

President Belen and Members
of the Lansing City Council

Re: Claim of Mr. Pete Spagnuolo in the amount of $265.00

Dear President Belen and

Members of City Council:

Mr. Pete Spagnuolo has submitted a claim in the amount of $265.00 for damages and labor incurred as a result of a sewer back up at his residence at 3804 Macon Avenue.

Information provided by the Public Service Department and an examination by this office of the telephone log during the period of the storm indicate numerous trouble calls and problems occurred as a result of the approximately three inches of rain which the Lansing area received between 11:00 p.m. and 2:00 a.m. on the date in question. The Public Service Department received calls regarding pumping station problems at six different locations. The first call regarding the Pendleton and Macon Pumping Station indicated an alarm was ringing and was received at 12:25 a.m. on August 20, 1980. Wastewater Division was notified, truck 118 responded, and discovered the pumping station operating but receiving more water than it could handle due to storm water entering the City of Lansing sanitary sewer line. Two additional calls were received by the Public Service Department between 12:25 a.m. and when contact was eventually made with

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Lansing Township at 2:06 a.m. Lansing Township indicated that a crew with a pump would be dispatched to transfer the overflow from the City of Lansing sanitary sewer line to the Lansing Township storm line. The truck apparently became lost and three additional calls were made by the City of Lansing to Lansing Township between 2:06 a.m. and 3:48 a.m. when truck 118 located the Township truck and guided them to the proper location for pumping purposes.

MCLA 691,1407; MSA 3.996(107) immunizes a municipality from tort liability where the municipality is engaged in the exercise and discharge of a governmental function. The term "governmental function" has been limited in scope by court decisions to indicate those activities whcih can be effectively accomplished only by government. See Parker v Highland Park, 414 Mich 183; 273 NW2d 403 (1978). In the instant case, it is clear that construction, operation and maintenance of the City of Lansing sewer system would fall within the confines of the aforementioned statute and case authority. It would follow that the City of Lansing is immune from liability even if it could be established that the Public Service Department was negligent on the date in question.

In view of the fact that the storm conditions on the night in question were an act of God and the City of Lansing responded reasonably to those conditions and the fact that the operation of the City's sewage system is clearly a governmental function, it is the recommendation of this office that this claim be denied.

Respectfully submitted,

STEPHEN R. SAWYER,
City Attorney.

By COUNCILMAN WORTHINGTON—

That we concur in the recommendation of the City Attorney and said claim be denied.

Carried.

February 2, 1981

President Belen and Members
of the Lansing City Council

Re: Claim of Richard G. Russell in the amount of $385.00

Dear President Belen and
Members of City Council:

Mr. Richard G. Russell has submitted a claim in the amount of $385.00 for labor and damages incurred as a result of a sewer back up at his rseidence at 1015 Pendleton.

Information provided by the Public Service Department and an examination by this office of the telephone log during the period of the storm indicate numerous trouble calls and problems incurred as a result of the approximately three inches of rain which the Lansing area received between 11:00 p.m. and 2:00 a.m. on the date in question. The Public Service Department received calls regarding pumping station problems at six different locations. The first call regarding the Pendleton and Macon Pumping Station indicated an alarm was ringing and was received at 12:25 a.m. on August 20, 1980. Wastewater Division was notified, truck 118 responded, and discovered the pumping station operating but receiving more water than it could handle due to storm water entering the City of Lansing sanitary sewer line. Two additional calls were received by the Public Service Department between 12:25 a.m. and when contact was eventually made with Lansing Township at 2:06 a.m. Lansing Township indicated that a crew with a pump would be dispatched to transfer the overflow from the City of Lansing sanitary sewer line to the Lansing Township storm line. That truck apparently became lost and three additional calls were made by the City of Lansing to Lansing Township between 2:06 a.m. and 3:48 a.m. when truck 118 located the Township truck and guided them to the proper location for pumping purposes.

MCLA 691.1407; MSA 3.996(107) immunizes a municipality from tort liability where the municipality is engaged in the exercise and discharge of a governmental function. The term "governmental function" has been limited in scope by court decisions to include those activities which can be efefctively accomplished only by government. See Parker v Highland Park, 414 Mich 183; 273 NW2d 403 (1978). In the instant case, it is clear that construction, operation and maintenance of the City of Lansing sewer system would fall within the confines of the aforementioned statute and case authority. It would follow that the City of Lansing is immune from liability even if it could be established that the Public Service Department was negligent on the date in question.

In view of the fact that the storm conditions on the night in question were an act of God and the City of Lansing responded reasonably to those conditions and the fact that the operation of the City's sewage system is clearly a governmental function, it is the recommendation of this office that this claim be denied.

Respectfully submitted,

STEPHEN R. SAWYER,
City Attorney.

By COUNCILMAN WORTHINGTON—

That we concur in the recommendation of the City Attorney and said claim be denied.

Carried.

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

January 30, 1981

President Belen and Members
of the Lansing City Council

Re: Claim of Robert L. Knapp in the amount of 122.25

Dear President Belen and

Members of City Council:

Robert L. Knapp, 1836 Park Avenue, requests reimbursement for medical expenses incurred by his eight year old son as a result of an accident while riding his bicycle in front of 1830 Park Avenue on August 12, 1980. The claimant indicates that a portion of the sidewalk was raised due to tree roots and his son hit that raised section which threw him over the handlebars. This claimant has no health insurance.

Investigation by the Public Service Department indicates that one corner of a slab of the sidewalk was raised approximately 2¼ inches tapering to 2 inches or less at eight inches away and down to less than one inch at the other corner. They indicate no previous knowledge of the situation. The Forestry Division of the Parks and Recreation Department indicates that it would take approximately five years for tree roots to raise a portion of a sidewalk 2¼ inches.

Under current Michigan law, a municipaliity has no duty to keep streets, sidewalks, curbing, etc. absolutely safe, but rather in a condition reasonably safe and fit for public travel. See, MCLA 691,1402; MSA 3.996(102). That duty of a municipality is coupled with a duty of all bicyclists or pedestrians to use sidewalks in a prudent and reasonable manner. MCLA 691.1403; MSA 3.996(103) limits the application of MCLA 691,1402 to situations where the governmental entity had actual or constructive knowledge of the defect and had a reasonable time to repair the defect before the injury took place.

Applying the aforementioned statutes to these facts, it appears that the City of Lansing had or should have had constructive knowledge that the defect in the sidewalk existed on the date in question. Therefore, it is the recommendation of this office that this claim be allowed.

Respectfully submitted,

STEPHEN R. SAWYER,
City Attorney.

By COUNCILMAN WORTHINGTON—

That we concur in the recommendation of the City Attorney and the City Clerk be and she is authorized to draw a warrant on the City Treasurer in the amount of $122.25 payable to Robert L. Knapp.

Carried.

January 30, 1981

President Belen and Members
of the Lansing City Council

Re: Claim of Robert DeJonge in the amount of $33.00

Dear President Belen
and Members of Council:

The claimant has requested reimbursement for a towing fee incurred when his motorcycle was towed to a private lot as a result of an accident at the intersection of Lenawee Street and Grand Avenue on August 4, 1980.

Information provided by the Police Department indicates that this claimant was involved in a personal injury accident and the motorcycle was immobilized as a result. Officers Richard Holme and Mark Davis of the Lansing Police Department responded to the scene and at the claimant's request attempted to assist him in removing the 1000 cc motorcycle weighing approximately 500 pounds from the roadway. That attempt was unsuccessful and a wrecker was requested.

MCLA 691,1407; MSA 3.996(107) provides for immunity from tort liability in cases where the governmental agency is engaged in the exercise of a governmental function. Court decisions have limited the scope of "governmental function" to those activities which are essential to governing—those activities which are sui generis governmental. The functions of the Lansing Police Department, including their responsibility to tow evhicles at an accident scene from the roadway, would unquestionably be considered such a governmental function for which no liability would attach. In the instant matter, the actions of Officers Holmes and Davis on the date in question appear to be entirely reasonable and prudent given the circumstances.

Applying the aforementioned statutory and case law to the facts at hand, it is the recommendation of this office that this claim in the amount of $33.00 be denied.

Respectfully submitted,

STEPHEN R. SAWYER,
City Attorney.

By COUNCILMAN WORTHINGTON—

That we concur in the recommendation of the City Attorney and said claim be denied.

Carried.

DATE: 1/23/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached cor-

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respondence from the Director of Building Safety and Development. Re: Trash Removal Assessment.

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

By COUNCILMAN LINDEMANN—

That we concur in the recommendation of the Mayor and said assessments be placed on the July Tax Roll.

Carried.

January 23, 1981

Council President Lucile Belen and
Members of the Lansing City Council

10th Floor, City Hall

Lansing, Michigan 48933

Dear Council President and Members:

Per my letter to you of January 22, 1981, and in accordance with Section 5-106.4 of the Lansing City Charter, attached please find the last advisory board report, that of the Public Service Board.

Sincerely,

GERALD W. GRAVES,
Mayor.

Received and placed on file with copy to Internal Auditor.

January 26, 1981

Council President Lucile Belen and
Members of the Lansing City Council

10th Floor, City Hall

Lansing, Michigan 48933

Dear Council President and Members:

This office has been advised by Bonnie Crutcher a member of the Parks Board that she can no longer serve, due to other obligations. Therefore, I am submitting to you, for your consideration and confirmation, the name of Barbara Ann Lange to fill said vacancy, which term expires in June of 1982.

Ms. Lange resides in the City of Lansing at 1500 Sunnyside; she has been an active participant on the Potter Park Citizen's Advisory Committee.

Trusting this recommendation meets with your approval, I remain

Sincerely,

GERALD W. GRAVES,
Mayor.

Referred to Committee on Public Property and Safety.

January 23, 1981

Council President Lucile Belen and
Members of the Lansing City Council

10th Floor, City Hall

Lansing, Michigan 48933

Dear Council President and Members:

On January 19, 1981, I requested that you confirm the transfer of Joan Trezise from the Civic Center Board to the Human Resources Advisory Board. Therefore, I am submitting to you the name of Janice J. Salmon to fill the position created by the transfer of Ms. Trezise on the Civic Center Board, which term expires in June of 1984.

Ms. Salmon resides in the City of Lansing at 1619 Harding Avenue.

Trusting this recommendation meets with your approval, I remain

Sincerely,

GERALD W. GRAVES,
Mayor.

By COUNCILMAN BLAIR—

That the transfer of Joan Trezise from the Civic Center Board to the Human Resources Advisory Board be confirmed—and the appointment of Janice J. Salmon to the Civic Center Board be referred to Committee on Public Property and Safety.

Carried.

January 27, 1981

Council President Lucile Belen and
Members of the Lansing City Council

10th Floor, City Hall

Lansing, Michigan 48933

Dear Council President and Members:

In accordance with Article 4, Section 102.8 of the Lansing City Charter, attached please find the City-owned Real Property Inventory for 1980.

Sincerely,

GERALD W. GRAVES,
Mayor.

Received and placed on file.

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

January 29, 1981

Council President Lucile Belen and
Members of the Lansing City Council

10th Floor, City Hall

Lansing, Michigan 48933

Dear Council President and Members:

We have received a communication from HUD on the Seventh Year Community Development Block Grant Entitlement Allocations. The City of Lansing's allocation has been set as $2,075,000. This represents a cut of $76,000 from last year's grant. Although HUD stated that they were cutting the grants by approximately 2%, the City's grant has been cut by approximately 3.5%. We are currently investigating the reasons for this and preliminary information suggests that it is due to the formula used in calculating the various cities' grants.

In order to reduce the allocation by $76,000, the Administration is proposing the following solution: the Accounting Division informed us recently that the CD program has $71,831.94 in program income for the past calendar year. This program income will be added to the application and can be reprogrammed into activities in the seventh year. In addition, we are currently showing an amount of $6,534.00 in contingency in the proposed budget. By combining these two amounts which total $78,365.94 and reducing the entitlement amount shown in the budget to the proper level, all costs can be covered with a small contingency remaining at $2,365.94. This will allow the City to continue with all proposed activities and administrative costs. If you concur, the proper adjustments should be made in the budget prior to its adoption. If you have any questions, please contact Mr. Robert Harris of the Planning Department.

Sincerely,

GERALD W. GRAVES,
Mayor.

Received and placed on file with copy to the Committee on Physical Development.

January 27, 1981

Council President Lucile Belen and
Members of the Lansing City Council

10th Floor, City Hall

Lansing, Michigan 48933

Dear Council President and Members:

Please find attached a response from the Lansing School District regarding any interest in Genesee Center. The response indicates that the School District does not wish to consider acquisition of this property.

Therefore, it is my recommendation that City Council authorize sale of the property, as is, on a bid basis. The property is vacant and, despite electrical security for the premises, the building presents an invitation for vandalism in its present condition as well as a continued expense item for the City. Therefore, your prompt action on this matter is requested.

Sincerely,

GERALD W. GRAVES,
Mayor.

Referred to Committee on Public Property and Safety.

January 27, 1981

Council President Lucile Belen and
Members of the Lansing City Council

10th Floor, City Hall

Lansing, Michigan 48933

Dear Council President and Members:

In response to your request at the Council meeting of January 26, 1981, please find a report on the proceeds of the Potter Park Parking Concession as prepared by City Controller Stephen W. Duarte. As you may notice, the report was submitted to my office on the 27th, although it had been previously requested. In the absence of your direction regarding use of these funds, my recommendation will be submitted to you as part of the Annual Budget Message.

Sincerely,

GERALD W. GRAVES,
Mayor.

Referred to Committee on Public Property and Safety.

January 28, 1981

Council President Lucile Belen and
Members of the Lansing City Council

10th Floor, City Hall

Lansing, Michigan 48933

Dear Council President and Members:

I am hereby submitting to you a report prepared by the Parks and Recreation Department regarding the application of non-resident fee differentials in other communities throughout Michigan. I believe the report is very comprehensive, and I hereby recommend that City Council adopt the recommendations therein.

In the State of the City Message which was presented to you on January 26, I said that the City must establish "such fees

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and charges in order that our taxpayers do not unreasonably support those activities which are heavily used by non-Lansing residents." This report is in keeping with that direction.

Essentially, the report recommends that non-Lansing residents in City-sponsored athletics and activities through the Parks and Recreation Department pay a rate of 1.5 × the rate charged to Lansing residents. Within that parameter, the recommendations are now being developed for athletic and activity programs to commence this spring. Your adoption of the recommendations addressed in this report is needed by February 23, 1981, in order to provide sufficient time to incorporate these items in my Budget Message and in brochures to be printed for spring programs. I will be glad to make staff available to you for discussion on these items.

Sincerely,

GERALD W. GRAVES,
Mayor.

Referred to Committee on Public Property and Safety and Committee on Human Services.

DATE: 1/29/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Submission of attached correspondence from the Finance Director and City Controller. Re: Financial Statements of City funds at December 31, 1980.

The attached correspondence is submitted for your information.

GERALD W. GRAVES,
Mayor.

Received and placed on file with copy to Committee on Ways and Means.

DATE: 1/29/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the City Controller. Re: Financial Security—Trapper's Cove No. 2.

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Ways and Means.

DATE: 1/29/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the City Controller. Re: Financial Security — Edgewood Glen Subdivision.

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Ways and Means.

DATE: 1/29/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Mayor's Economic Development Advisory Group. Re: EDC request for certification of project area, designation of project district area and determination of necessity of establishing project citizens district council for Cutler Plastics project.

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Economic Development.

January 29, 1981

Council President Lucile E. Belen and Members of the Lansing City Council

10th Floor, City Hall

Lansing, Michigan 48933

Dear Council President and Members:

I am forwarding to you a report and recommendations from the Public Service Director and the Finance Director with regard to the rate structure of the Sewage Disposal System. Their recommendations include the adjustment of sewer rates called for in your budget adoption in May, 1980, for the 1980-81 Sewage Disposal System Fund. This is a necessary step in complying with the wastewater treatment and sewer separation requirements which have been mandated by the U. S. Environmental Protection Agency and the State Department of Natural Resources.

The report includes an update of the 201 Facilities Plan and the funding require-

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ments through Phase I, i.e., interceptor and pumping station improvements and wastewater treatment plant improvements.

Sincerely,

GERALD W. GRAVES,
Mayor.

Referred to Committee on Ways and Means and Committee on Physical Development.

## RESOLUTIONS

By COUNCILMAN BELEN—

Resolved by the City Council of the City of Lansing:

Whereas, the Friends of Turner-Dodge House have requested official recognition by the City of Lansing; and

Whereas, the purpose of this organization is to promote and oversee the development of the Turner-Dodge House and the surrounding park located at 100 East North Street; and

Whereas, the association has been in its formation stage since summer of 1980; and

Whereas, the committee structure has been determined and bylaws drafted,

Now, Therefore, Be It Resolved the City Council of the City of Lansing hereby recognizes officially the Friends of the Turner-Dodge House; and

Be It Further Resolved the Council extends its gratitude and continued support to those individuals giving their time and energy for the futherance of one of Lansing's unique landmarks.

Adopted by the following vote:

Unanimously.

By COMMITTEE OF THE WHOLE—

Resolved by the City Council of the City of Lansing:

Whereas, Mr. John Lewis was transferred from the Elected Officers Compensation Commission to serve as a member of the Lansing Fire Board; and

Whereas, the Mayor has submitted the name of Mr. Neil A. McLean to fill the vacancy created by Mr. Lewis' transfer; and

Whereas, Mr. McLean has been interviewed by the Committee of the Whole;

Now, Therefore, Be It Resolved, the City Council of the City of Lansing hereby approves and confirms the appointment of Mr. Neil A. McLean to the Elected Officers Compensation Commission for a term to expire on September 30th, 1982.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PUBLIC PROPERTY AND SAFETY—

Resolved by the City Council of the City of Lansing:

Whereas the City of Lansing has entered into an agreement with the Michigan Department of Transportation to make necessary improvements to the Kalamazoo Street railroad grade crossing with Conrail and the C&O tracks in the City of Lansing, Ingham County, Michigan,

Be It Therefore Resolved that Howard G. McCaffery, Director of Public Service Department is hereby authorized to sign the Proposal and the Plan Title Sheet on behalf of the City of Lansing to perform all work in accordance with the plans and specifications per agreed unit prices as specified with the Proposal.

Adopted by the following vote:

Unanimously.

By COUNCILMAN WORTHINGTON—

Resolved by the City Council of the City of Lansing:

FCF-7-80
1204 Bensch Street

Whereas, pursuant to Act 28, Public Acts of 1977, the State of Michigan, the State of Michigan Department of Social Services has notified the City of Lansing of its intent to license an adult foster care family home to house a maximum of two (2) foster adults upon the premises commonly known as 1204 Bensch, more particularly described as:

Parcel No. 3301-22-255-261

Lot 95 and the north 17 feet of Lot 94, Excelsior Land Company's Subdivision, City of Lansing, Ingham County, Michigan; and

Whereas upon review of the application the Planning Department found that:

1) No other similar existing or proposed facilities are located within 1500 feet of this proposed facility;

2) Repairs are necessary to bring the home up to minimum building and fire code standards;

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3) The placement of foster adults in this home would necessitate moving the applicant's teenage daughters into a basement room which the Department of Building Safety and Development has determined does not meet the requirements for a habitable room; and

Whereas the Physical Development Committee of the Council has reviewed the report of the Planning Department and the results of the safety inspection;

Now, Therefore, Be It Resolved that the Council of the City of Lansing return the application notice to the State of Michigan Department of Social Services indicating that the proposed facility is located more than 1500 feet from an existing similar facility or another proposed facility but that the issuance of a license is not recommended since the placement of foster adults in the home would necessitate the occupancy of a room determined by the Department of Building Safety and Development not to be habitable; and

Be It Further Resolved that the City Clerk be, and she is hereby, directed to return the license application notice with these concerns and that copies of this resolution, the Planning Department report and the safety inspection report be attached thereto and returned with the notice.

Adopted by the following vote:

Unanimously.

By COUNCILMAN WORTHINGTON—

Resolved by the City Council of the City of Lansing:

P-6-80
Sheraton Park Subdivision No. 2
Preliminary Plat—Final Approval

Whereas the preliminary plat of Sheraton Park Subdivision No. 2, located on the south side of West Holmes Road near its intersection with Ingham Street, has been submitted for final approval; and

Whereas the Planning Department, in accord with the provisions of Section 37-8 (5) of the Lansing Subdivision Regulations has reviewed this request and recommended approval thereof; and

Whereas the Physical Development Committee of the City Council has reviewed the report of the Planning Department and concurs therewith;

Now, Therefore, Be It Resolved that the preliminary plat of Sheraton Park Subdivision No. 2 be given final approval; subject, however, to all the conditions set forth by the City Council at the time of tentative preliminary approval.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON WAYS & MEANS—

Resolved by the City Council of the City of Lansing:

Whereas, the City of Lansing is involved in an ongoing CETA program, and

Whereas, the City desires to continue this program, and

Whereas, the City has received an allocation for FY80-81

Therefore, Be It Resolved, that the City Council authorizes the acceptance of $2,-464,420 for the FY80-81 to be received from the Lansing Tri-County Regional Manpower Consortium and to be used to continue this program, and

Be It Further Resolved, that $55,000 of the aforesaid allocation be assigned to the Lansing Tri-County Regional Manpower Consortium for the purpose of providing travel and allowances to CETA participants enrolled in pre-employment skill training through a contract between the Consortium and the Michigan Employment Security Commission, and

Be It Finally Resolved, that notice of any additional CETA funds that may be allocated will be brought to the attention of City Council for acceptance and determination.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON HUMAN SERVICES—

Resolved by the City Council of the City of Lansing:

Whereas, the Lansing City Council initiated a policy of funding Human Resource Programs from the City's general fund and revenue sharing resources in fiscal year 1978-79; and

Whereas, the funding formula adopted by the Council at that time has afforded the Human Resources Department a helpful planning tool, specifically, a general idea of how much money will be available for Human Resource Programs in any given year; and

Whereas, the need for continuity in human service programs is still critical, actually more critical in these difficult economic times;

Now, Thereofre, Be It Resolved the City Council of the City of Lansing hereby reaffirms its policy of January 23, 1978, and enacts a formula to fund Human Resource Programs at a level equal to one percent (1%) of the combined General Fund and Federal General Revenue Sharing Budgets plus an additional $75,000 to be used primarily for matching purposes; and

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Be It Further Resolved all unexpended funds in Human Resource Programs shall be carried forward each fiscal year and be reprogrammed as addiitonal funds for the Human Resources program budget; and

Be It Finally Resolved the Human Resources Dpartment shall be directed by the Administration to proceed in the preparation of contracts and grant applications with full knowledge of budgetary limitations, as outlined in this City Council policy resolution.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON WAYS & MEANS—

Resolved by the City Council of the City of Lansing:

That the following transfer be approved:

$50,000.00 from Reserve for Contingency Fund
A/C 101-941-000-963

$50,000.00 to Riverfront-Salmon Development
A/C 101-936-802-971

I hereby certify that this is a properly drawn and eligible transfer.

JAMES W. DOWSETT,
Finance Director.

Approved:

TERRY J. McKANE,
WILLIAM A. BRENKE,
JACK D. GUNTHER.

Adopted by the following vote:

Unanimously.

## INTRODUCTION OF ORDINANCE(S)

The following ordinance(s) of the City of Lansing, Michigan providing that the Code of Ordinances be amended by:

Repealing of Chapter 17B in its entirety, being sections 17B-1 through 17B-8 of the Code of Ordinances and declaring same to be null and void and of no effect for the purpose of updating and strengthening provisions concerning the Human Relations Board.

Adoption of Chapter 17B of the Code to provide for a Human Relations Board, General Functions and Duties of the Human Relations Board, Prohibition against Discrimination and provision for equal opportunity by contractors and employers doing business with the City of Lansing, providing for prohibition against discrimination by City Departments or Employees and providing for an affirmative action officer and responsibilities thereof.

was introduced by Council Lindemann, read a first and second time by their title(s), and referred to the Committee on Public Property and Safety.

By COMMITTEE ON PUBLIC PROPERTIES AND SAFETY—

Resolved by the City Council of the City of Lansing:

That the City Clerk is hereby requested to schedule and announce a public hearing before the Lansing City Council at 7:00 p.m. on Monday, February 16, 1981, in the 10th floor chambers of City Hall, for the purpose of receiving public comment on the proposed revision of Chapter 17B of the Code of Ordinances, providing for a Human Relations Advisory Board, the general functions and duties of such board, plus prohibition against discrimination and provision of equal opportunity by contractors and employers doing business with the City of Lansing.

Adopted by the following vote:

Unanimously.

By COUNCILMAN GUNTHER—

Resolved by the City Council of the City of Lansing:

That the rules of the Council be waived for the purpose of presenting items that are not listed on the agenda.

Carried.

Letter from Gladys Gilson in regard to situation that appears in the Moores Park School Area, i.e., larcenies, breaking and entering, etc.

Referred to Mayor, Committee on Public Property and Safety.

Introduction of an Ordinance to amend by adding new sections to be numbered Section 16A-22 through Section 16A-39 to provide for the establishment of a city-wide refuse newsprint collection service by private non-profit organizations within the City of Lansing.

Referred to Committee on Physical Development.

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By ECONOMIC DEVELOPMENT COMMITTEE—

Resolved by the City Council of the City of Lansing:

Whereas, it is necessary to hold a public hearing prior to the Council approval of Industrial Facilities Exemption Certificate for the following petitioner,

Industrial Development District IPR-8-80
Petitioner: Oldsmobile Division of General Motors Corporation

Oldsmobile Plant 1 Manufacturing Complex

Thereofore Be It Resolved that the City Clerk give at least 10 days notice of a public hearing when all persons interested may attend and make any objections they may have to the approval of the certificates and

Further Resolved that the City Clerk notify the legislative body of each taxing unit which levies ad valorem property taxes in the City and

Further Resolved that such hearing shall be held at the Council Chambers in the City Hall on February 16, 1981, at 7:00 p.m. and that notice of such hearing be published in a publication of general circulation of said City.

Adopted by the following vote:

Unanimously.

By COUNCILMAN GUNTHER—

Resolved by the City Council of the City of Lansing:

That Councilman Adado be excused from the session.

Carried.

## REMARKS BY THE MAYOR'S EXECUTIVE ASSISTANT

No remarks.

## REMARKS BY THE CITY COUNCIL

Councilman Gunther spoke in regard to letter he received from Mr. & Mrs. George Bliebtrey relative the ticketing of automobiles by the Market Master on Non-market days which is contrary to the Ordinance and request an investigation on same.

Referred to Mayor, Committee on Public Property and Safety.

Stuart Lindsay, Exec. Director, Natl. Council on Alcoholism, Lansing Regional Area, spoke.

By COUNCILMAN BLAIR—

That this meeting stand adjourned.

Carried.

Council adjourned at 7:50 P.M.

THEO FULTON,
City Clerk.

Lansing, Michigan

February 2, 1981

F/B

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CITY CLERK'S OFFICE
Room 921, City Hall
Lansing, Michigan 48933

Address Correction Requested

BULK RATE
U. S. POSTAGE
PAID
Permit No. 1461
Lansing, Michigan



# OFFICIAL PROCEEDINGS OF THE CITY COUNCIL OF THE CITY OF LANSING

## Proceedings, February 9, 1981

CITY COUNCIL ROOMS

Lansing, Michigan

February 9, 1981

The City Council of the City of Lansing, Michigan, met in regular session and was called to order by President Belen.

Present: Councilmen Adado, Belen, Blair, Brenke, Lindemann, McKane, Worthington—7.

Absent: Councilman Gunther—1.

The Clerk announced that a quorum of the Council was present.

Invocation was given by Councilman Lindemann.

Pledge of Allegiance was led by Councilman Lindemann.

By COUNCILMAN ADADO—

That the Council Proceedings of January 19, 1981, be approved.

Carried.

By COUNCILMAN BRENKE—

Resolved by the City Council of the City of Lansing:

That the rules of the Council be waived for the purpose of allowing Bernice Shetterly, 1619 Herbert St., to read a letter in regard to the closing of certain schools.

Referred to Board of Education.

February 3, 1981

Miss Theo Fulton

Lansing City Clerk

9th Floor, City Hall

Lansing, Michigan 48933

Dear Miss Fulton:

Attached is my Veto Message dealing with Committee Report (2) from the Committee on Public Properties and Safety in regard to the purchase of the Opper Prop-

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erty, 1300-1400 blocks of North Turner Street, adopted February 2, 1981, by a 7-0 vote.

It is submitted to you in accordance with Section 3-305 of the Lansing City Charter.

Sincerely,

GERALD W. GRAVES,
Mayor.

Referred to Committee of the Whole.

February 3, 1981

Council President Lucile Belen and
Members of the Lansing City Council

10th Floor, City Hall

Lansing, Michigan 48933

Dear Council President and Members:

On January 23, 1981, I submitted to you an appraisal of the Opper property in the 1300-1400 blocks of North Turner Street. The appraisal was done by Mr. Malcolm Milks and indicated a value of $76,000 for this property. I specifically recommended in that communication that City Council not purchase the property.

On Monday, February 2, 1981, City Council, by a 7-0 vote, adopted a Committee Report from the Public Properties and Safety Committee to acquire this property. I hereby submit my Veto of that action.

As I previously advised you, on two occasions, the City of Lansing submitted grant applications for acquisition of this property. I do not believe the City through its General Fund can support programs merely because grant applications were submitted. I believe that the expenditure of $76,000 for this property is an excessive use of taxpayers monies in these economically trying times and particularly in view of the City Assessor's valuation of $50,800 for this property.

Acquisition of this property is contemplated for construction of a parking lot to support salmon fishing activities at the William A. Brenke Fish Ladder. While I thoroughly support the fish ladder istelf, I believe that City Council should determine over a period of years whether support parking is absoluately needed for salmon fishing in this area. I am additionally concerned about demolition of the small building which remains on the property and which is hazardous to public safety in its present condition, and further for the many thousands of dollars which would be required for constructing the parking lot itself.

Finally, I must again remind City Council that a small business with 15 employees which recently began on this property was displaced at least in part by the expressed indication of some individuals ostensibly representing the City, that the City of Lansing would acquire this property. I cannot support actions undertaken by the City which result in displacement of much needed jobs from our community.

I place my Veto over this Committee Report for the aforementioned reasons, and I do so in accordance with Section 3-305 of the Lansing City Charter.

Sincerely,

GERALD W. GRAVES,
Mayor.

February 3, 1981

Miss Theo Fulton

Lansing City Clerk

9th Floor, City Hall

Lansing, Michigan 48933

Dear Miss Fulton:

Attached is my Veto Message dealing with the Transfer of Funds of Monday, February 2, 1981, pertaining to acquisition of the Opper property.

It is submitted to you in accordance with Section 3-305 of the Lansing City Charter.

Sincerely,

GERALD W. GRAVES,
Mayor.

Referred to Committee of the Whole.

February 3, 1981

Council President Lucile Belen and
Members of the Lansing City Council

10th Floor, City Hall

Lansing, Michigan 48933

Dear Council President and Members:

On Monday, February 2, 1981, City Council, by a 7-0 vote, approved a Transfer of Funds of $50,000 from the Reserve for Contingency Account (101-941-000-963) to the Riverfront Salmon Development Account (101-936-802-971). I hereby submit my Veto of that action.

In the City budget for the Fiscal Year from July 1, 1980 through June 30, 1981, City Council established a $300,000 account for Reserve for Contingency items to carry through the entire budget year. The transfer as approved by City Council would essentially wipe out the entire Contingency Account just seven (7) months through the year. This means that any remaining items

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of an unusual or extenuating nature which would be addressed from the Contingency Account will instead have to be drawn from the City's Fund Balance. I have reminded City Council on several occasions that the City's Fund Balance within the projected three year financial plan is reaching a critical state, and that it is extremely important for all City departments to live within the budget previously adopted by City Council.

There continues to be some confusion about a 3 million dollar surplus which existed for only a point in time at the end of the previous budget year. Virtually all of that 3 million dollars has been lost already this fiscal year due to actual income which has fallen far short of projections. For instance, City income tax was projected at 14 million dollars and will be by year's end much nearer to 12.8 million dollars. State shared revenues are down 1.3 million dollars. Various other income short-falls account for the balance so that at the end of this budget year, the City's Fund Balance will be at the minimum necessary to protect the City's overall financial position.

Further, I cannot support the Transfer of Funds, inasmuch as, I do not support the acquqisition of property contemplated with these funds, as I have explained previously. I believe that the $76,000 in all required to purchase the Opper property is an exorbitant use of money at this time.

I place my Veto over the Transfer of Funds for the aforementioned reasons, and I do so in accordance with Section 3-305 of the Lansing City Charter.

Sincerely,

GERALD W. GRAVES,
Mayor.

**THE PUBLIC MAY NOW ADDRESS THE CITY COUNCIL ON ANY OF THE FOLLOWING ITEMS LISTED ON THE AGENDA: COMMUNICATIONS AND PETITIONS, COMMITTEE REPORTS, REPORTS OF CITY OFFICERS AND BOARDS AND RESOLUTIONS. YOU MAY SPEAK ONLY FOR 3 MINUTES ON ANY ONE ITEM.**

Art. Baryames, 817 Audubon, E. L., spoke on proposed Bus Depot.

Chas. Baryames, 1119 Southlawn, E. L., spoke and showed maps relative to Bus Depot.

Orrin Sharp, 1646 Wellington Road, spoke on resolution 6c.

Robert Hull, 425 S. Holmes—East Side Neighborhood Assn., spoke re: Foster Street School as East Side Community Center.

## COMMUNICATIONS AND PETITIONS

The following applications and bonds have been filed for licenses:

MECHANICAL DEVICE—
The Ground Round.

PUBLIC DRIVER—
Robert C. Banhart.

Referred to Committee on General Services.

The following claims have been filed:

Thomas C. Willson for damage to articles in basement due to backup of sewer.

David A. Roberts for damage to automobile due to hitting chuckholes.

Orby Gray requesting reimbursement of money in connection with construction of driveway approach in which the City, due to construction, ripped up newly constructed pavement.

Referred to Mayor, City Attorney.

Application for Special Use Permit SUP-12-81—219 S. Butler Blvd. (to be used as an overnight shelter for people who are temporarily homeless).

Referred to Mayor, Planning Board.

Requests filed for special 24-hour liquor permits for:

Lansing Municipal Credit Union—March 2, 1981—Annual meeting dinner and dance, National Guard Armory.

Friends of Carl Clark—February 27, 1981—Retirement party, National Guard Armory.

Referred to Mayor, Committee on General Services.

Request from Natalie Maluchnik representing the Henry H. North School for permission to put an advertising banner across the Cedar Street Skywalk off Miller Road from May 9 through May 16, 1981, for annual spring carnival.

Referred to Mayor, Committee on General Services.

Request from Walter Neller Enterprises, Inc., for certain exceptions (i.e. curb and gutter, sidewalk construction) for preliminary plat of Westwood No. 2 Subdivision.

Referred to Mayor, Planning Board.

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Application for tax abatement for Plant Rehabilitation and Industrial Development from Airport Realty—3525 Capitol City Blvd.

Referred to Mayor, Economic Development Corporation, Committee on Ecoonmic Development.

Letter from Anthony P. Nosal thanking the Council for approving his request for a Commercial Redevelopment District but withdrawing request for property at Pleasant Grove Road and Holmes Road.

Received and placed on file with copy to City Assessor, City Treasurer.

Official Notice from Michigan Municipal League in regard to the Annual Legislative Conference to be held on Wednesday, March 18, 1981, at the Lansing Civic Center.

Referred to Mayor, Council Members and Department Heads.

State of Michigan—Department of Natural Resources submits application to alter or occupy a flood plain area from:

Graybar Electric Co., Inc.

Richard W. Steadman of Steadman and Pierson, Inc.

Received and placed on file.

Letter from Marie Barss which was sent to the Lansing State Journal in regard to Federal Funds received to bring certain city homes up to code.

Referred to Mayor, Committee on Physical Development.

Letter from the Impression "5" Museum thanking the Council for funding support.

Received and placed on file.

Letter from Mrs. Ethelyn C. Gunn in regard to the proposed Special CATA Election.

Received and placed on file.

## MAYOR OR HIS EXECUTIVE ASSISTANT COMMENTS ON ANY ITEM ON THE AGENDA

No comments.

## REPORTS OF COMMITTEES

The COMMITTEE ON GENERAL SERVICES approves the following applications and bonds for licenses:

MECHANICAL DEVICE—
The Ground Round.

PUBLIC DRIVER—
Robert C. Banhart.

Signed:

WILLIAM A. BRENKE,
PAT LINDEMANN,
TERRY McKANE,
Committee on General Services.

By COUNCILMAN BRENKE—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

The COMMITTEE ON PHYSICAL DEVELOPMENT, to whom was referred the rezoning petition Z-42-80 for property at 3600 West Jolly Road from "A" One Family Residential District to "DM-1" Multiple Dwelling District, reports as follows:

That said rezoning be approved.

Signed:

SIDNEY P. WORTHINGTON,
LUCILE BELEN,
WILLIAM A. BRENKE,
Committee on Physical Development.

By COUNCILMAN WORTHINGTON—

That the report of the Committee be adopted.

Adopted by the folloying vote:

Unanimously.

The COMMITTEE ON PHYSICAL DEVELOPMENT, to whom was referred the rezoning petition Z-36-80—for property at 4000 block of S. Cedar Street from "J" Parking, "F" Commercial, "E-1" Drive-In Shop and "A" One Family Residential Districts to "F" Commercial District, reports asm follows:

That said rezoning be approved.

Signed:

SIDNEY P. WORTHINGTON,
LUCILE BELEN,
WILLIAM A. BRENKE,
Committee on Physical Development.

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By COUNCILMAN WORTHINGTON—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

The COMMITTEE ON PHYSICAL DEVELOPMENT, to whom was referred the rezoning petition Z-39-80 for property at 3532 West Jolly Road from a "CUP" Community Unit Plan District to "DM-1" Multiple Dwelling District, reports as follows: That said rezoning be approved.

Signed:

SIDNEY P. WORTHINGTON,
LUCILE BELEN,
WILLIAM A. BRENKE,
Committee on Physical Development.

By COUNCILMAN WORTHINGTON—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

The COMMITTEE ON WAYS AND MEANS, to whom was referred the letter from the City Controller requesting release of Financial Security, Edgewood Glen Subdivision, reports as follows:

The $20,000.00 in financial security may be released pursuant to Section 3-25 (1) of Chapter 37 of the Code of Ordinances of the City of Lansing. The City will retain $11,110.00 in financial security to cover public improvements not yet completed.

Signed:

TERRY J. McKANE,
WILLIAM A. BRENKE,
Committee on Ways and Means.

By COUNCILMAN McKANE—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

The COMMITTEE ON WAYS AND MEANS, to whom was referred the letter from the City Controller requesting release of Financial Security, Trapper's Cove No. 2, reports as follows:

The $42,000.00 in financial security may be released pursuant to Section 37-25 (1) of Chapter 37 of the Code of Ordinances of the City of Lansing. The City will retain $88,300.00 in financial security to cover public improvements not yet completed.

Signed:

TERRY J. McKANE,
WILLIAM A. BRENKE,
Committee on Ways and Means.

By COUNCILMAN McKANE—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

The COMMITTEE ON HUMAN RELATIONS, to whom was referred the budget for human services agency funding, reports as follows:

The FY 80-81 General Fund appropriation for human services agency funding was $4,298.37 less than the amount required by the Council's adopted formula of one percent of the combined General Fund/Federal Revenue Sharing budget. This matter is referred to the Committee on Ways and Means with the recommendation to appropriate $4,298.37 to account No. 101-934-095-969, Unprogrammed Match.

Signed:

JAMES D. BLAIR,
LOUIS F. ADADO,
TERRY J. McKANE,
Committee on Human Services.

By COUNCILMAN BLAIR—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

## REPORTS OF CITY OFFICERS AND BOARDS

January 30, 1981

Council President Lucile Belen and Members of the City Council

10th Floor, City Hall

Lansing, Michigan

Dear President Belen and Members:

As of January 28, 1981, Councilman William Brenke filed in my office an Affidavit of Disclosure.

Sincerely,

(Miss) THEO FULTON
City Clerk.

Received and placed on file.

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

February 5, 1981

Council President Lucile Belen and
Members of the City Council

10th Floor, City Hall

Lansing, Michigan

Dear President Belen and Members:

As of February 5, 1981, Councilman Louis Adado filed in my office an Affidavit of Disclosure.

Sincerely,

(Miss) THEO FULTON,
City Clerk.

Received and placed on file.

February 4, 1981

Honorable Mayor and Members
of the Lansing City Council

City Hall

Lansing, Michigan 48933

Re: Blacktop Construction of New Subdivision Streets

Dear Mayor and Members of the City Council:

At the Special Meeting of the Board of Public Service held on January 21, 1981, the Board recommended unanimously that the recommendation as submitted by the Mayor on March 24, 1980, in the Annual Recommended Budget for Fiscal Year 1980-81 be implemented. The recommendation is as follows:

"I further recommend that you adopt a policy which requires developers to pay for blacktop construction, as is done in 18 out of 21 cities surveyed by the Public Service Director. The Capital Improvements Program Technical Coordinating Committee has recommended this change in policy, which would provide an additional $50,000 a year for improvements needed. It is my recommendation that such a policy change be adopted, and that it specifically exclude the approximately 18 development plans currently on file with the City. This would require the City to maintain its General Fund appropriation for the next two years, after which we can reprogram those resources into other areas such as curb, gutter and sidewalk repair."

During 1980 the Public Service Department expended $68,700 to blacktop streets within new subdivisions. It is estimated that $182,000 will be required in F.Y. 81-82 to continue the existing policy.

Respectfully submitted,

HOWARD G. McCAFFERY,
Director of Public Service.

Referred to Committee on Physical Development.

February 5, 1981

Mayor Gerald W. Graves,

Council President Lucile Belen
and City Council Members

Re: Houtsma, Inc. EDC Project

Dear Mayor Graves and Council Members:

We are forwarding to you a resolution approved by the Economic Development Corporation of action taken by its Board on February 4, 1981, approving the Resolution of Inducement, Designation of Project Area and Designation of Bond Counsel for Houtsma, Inc. Therefore, it will be necessary for you to appoint two (2) Temporary Trustees to this project.

The project will be located on Lot 7 of the Kahres Farm Subdivision between the northerly edge of Interstate Highway I-96 and the southerly edge of American Road in the City of Lansing and the applicant proposes to construct a building thereon for the purpose of retail sales. The applicant is asking for an amount not to exceed $950,000 in EDC financing.

The Economic Development Corporation is in the process of developing a Project Plan to be presented to you at a future date.

In your deliberation to designate a Project Area, we would recommend, as pointed out in our resolution, that you define the Project District Area as one and the same as the Project Area.

Also, inasmuch as there is no residential area to be affected by the Project Plan, we believe that it is not necessary to establish a Project Citizens District Council.

Sincerely yours,

EMERSON B. OHL,
Executive Director.

Referred to Committee on Economic Development.

DATE: 2/2/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Director, Building Safety and Development Re: Demolition Assessment

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

By COUNCILMAN BRENKE—

That we concur in the recommendation

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of the Mayor and said assessments be placed on the July 1981 assessment roll.

Carried.

February 3, 1981

Council President Lucile Belen and
Members of the Lansing City Council

10th Floor, City Hall

Lansing, Michigan 48933

Dear Council President and Members:

On November 10, 1980, I forwarded to City Council a recommendation that the Council approve $600 in lighting improvements for the City-owned parking lot in the 500 block East Michigan Avenue. That recommendation was referred to the Ways and Means Committee, which has failed to take action on that matter.

Please see in the attached news clipping from the State Journal of February 2, 1981, that nearly $27,000 in vandalism was done in this lot to parking meters by thieves who took an estimated $108 in coins. This is a most unfortunate loss, and I believe would have been less likely to occure had the improved lighting I recommended to you been installed. Therefore, I must renew my request to you to approve the transfer of funds I recommended to you last November.

Sincerely,

GERALD W. GRAVES,
Mayor.

Referred to Committee on Ways and Means.

February 2, 1981

Council President Lucile Belen and
Members of the Lansing City Council

10th Floor, City Hall

Lansing, Michigan 48933

Dear Council President and Members:

For your consideration and confirmation, I am submitting to you the below listed names to serve as Temporary Directors on the following Economic Development Corporation projects:

MICHIGAN OPTOMETRIC ASSOCIATION, INC.

Michael Haley

Gary Weston

CUTLER PLASTICS CORPORATION

Howard Spence

Michael Haley

All of the above individuals are currently serving as Temporary Directors on other EDC projects.

Trusting this meets with your approval, I remain

Sincerely,

GERALD W. GRAVES,
Mayor.

Referred to Committee on Economic Development.

February 3, 1981

Honorable Council President Lucile E. Belen and Members of the Lansing City Council

10th Floor, City Hall

Lansing, Michigan 48933

Dear Council President and Members:

The Michigan State Housing Development Authority (MSHDA) has requested an extension of our agreement with them and the banks participating in the Neighborhood Improvement Program (NIP). Those agreements were signed and delivered to MSHDA last week.

Unlike past years when MSHDA allocated specific funding amounts to the cities, this year they are extending the program on a first come first served basis. The quicker we implement the program, the more actual dollars for rehabilitation of properties can be brought into the City of Lansing. I am pleased that the City of Lansing is able to again participate in the program and that we continue to receive support from six financial institutions in the city.

It should be noted that the NIP program is one of the many programs whose administrative support is paid entirely by the Community Development Block Grant program.

Sincerely,

GERALD W. GRAVES,
Mayor.

Referred to Committee on Physical Development.

February 4, 1981

Council President Belen and
City Council Members

10th Floor, City Hall

Lansing, Michigan

Dear Council President Belen and
Council Members:

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Within the Community Development Block Grant 7th Year Program and Budget, and within my coming budget recommendation, I have addressed the issue of the proposed use of the Foster Street School. I have had staff working extensively with the Foster School Citizens' Advisory Committee and recommended a phased implementation for use of Foster School as an Eastside Community Center.

Based on these recommendations from the Citizens' Committee and the staff recommendations, I recommend that you act to officially designate Foster Street School as the Eastside Community Center. I will then institute administrative action to place that facility under the Parks Department. From that point, the Parks Director will work in conjunction with the Committee to establish programs within the facility. Concurrently, I will instruct the Administrative Services Department to prepare all necessary plans and specifications for the needed physical plant improvements to make the facility accessible and to expand parking at the site.

Due to parking constraints, planning necessary to ascertain which programmatic options are desired by the citizens, and to budgetary considerations, we know that the center will not be in full scale operation immediately. This has been discussed with the Citizens' Committee and they have indicated their cooperation in planning within these constraints.

As soon as you officially designate the facility as the Eastside Community Center, I will take administrative action to proceed in all the above cited areas. Mr. Finley, Mr. Purvis, and Mrs. Lazar are available to meet with you to answer any programmatic, operational or budgetary questions. They have been meeting with the Citizens' Committee on these matters.

Sincerely,

GERALD W. GRAVES,
Mayor.

Referred to Committee on Public Property and Safety.

February 4, 1981

Council President Lucile E. Belen and
Members of the Lansing City Council

City Hall

Lansing, Michigan 48933

Dear President Belen:

Subject: Merit Award from American Society of Landscape Architects Riverfront Park

This is to advise you that, on behalf of the City of Lansing, I accepted a National Merit Award from the American Society of Landscape Architects (ASLA) for Riverfront Park. The award was presented on February 2, 1981.

The American Society of Landscape Architects presents this juried award annually to recognize mastery and originality in the practice of landscape architecture.

Cited as reasons for the award ASLA noted that Riverfront Park has transformed 1.5 linear miles of the Grand River in downtown Lansing from a neglected, blighted river edge into a viable recreational resource. The features of Riverfront Park, which include viewing decks, amphitheaters, tennis and platfrom tennis courts, and large area recreational opportunities, allow for both passive and active recreation.

Riverfront Park is an excellent example of the creative use of federal grant funds in developing a valuable community asset.

Sincerely,

GERALD W. GRAVES,
Mayor.

Received and placed on file.

February 2, 1981

Council President Lucile Belen and
Members of the Lansing City Council

10th Floor, City Hall

Lansing, Michigan 48933

Dear Council President and Members:

In compliance with Section 4-102.10 of the City Charter, I hereby submit the annual Affirmative Action Report for your review. As I noted in my State of the City message to you on January 26, 1981, this report would be coming to you as a separate submission.

I am not dissatisfied with the overall results of this report, in light of some surrounding circumstances. For instance, Human Relations Director Richard Letts notes "one factor that may impact on the lack of any **measurable progress** for affirmative action is the economic conditions, which have tended to stabilize the City's workforce and reduce the amount of employee turnover." Mr. Letts notes that the City's workforce of full-time personnel as of June 30, 1980, was below the population of minorities in the community (12.01% compared to approximately 13.9%). This is offset when part-time and temporary employees are included, as heavy percentages of minority and female employees are included in that group.

Further, I will point out that of 91 persons hired for full-time employment between July 1, 1979, and June 30, 1980, that 14 were minority (15.4%) and 44 were

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women (48.4%), which exceed their representations in the population and in the workforce, respectively.

The 91 new hires for Fiscal Year 1979-80 compares to 164 new hires for the year previous and 99 general fund new hires for 1977-78, an indication of considerably less turnover. The minority employment of 12.01% compares to 9.7% when the Affirmative Action program was begun in 1972. The 21.01% female employment compares to 15.32% in 1972. The report does caution, however, that the Federal government has changed reporting requirements for Affirmative Action reports over the years, so comparisons on a year-to-year basis must be used very cautionsly due to varying types of base data.

Also included are comments on a departmental basis, and I must respond to a few of those points.

In the Fire Department, the report recommends that "attempts should be made to recruit and train minorities and females for firefighter positions." While I do not disagree as the item pertains to minorities, I must report on the experiences of other communities with female firefighters. The Grand Rapids Fire Department hired two females for their training period; neither lasted for the one-year training time. In Flint, two females were hired, and neither individual completed the training school. In Detroit, 12 females were hired between 1971 and 1973 (The Detroit Fire Department has not hired a single person since 1973). Eight females quit during training or very shortly thereafter and one female is on layoff as the Detroit force has shrunk from 1,750 to its present level of 1,338. The three remaining female firefighters are the only full-time female firefighters in Michigan. **I hereby request your policy direction on this matter,** recognizing that substantial expensive changes would be required to our existing fire stations to accommodate female firefighters.

I must also comment that the existing contract with the Firefighters Union restricts promotion to a seniority basis, thus limiting the ability to place minority firefighters in supervisory positions.

In the Police Department, the report recommends that "efforts should be made to attract minorities and females to achieve a labor force similar to that of the City's population." While the Police Department had 13 new hires during the reporting period, 10 of those were office or clerical (two of those minority and nine of those female). The other three new hires included a white male, a white female, and a black male, which I believe indicates the Department's willingness to respond to affirmative action.

In the Law Department, it is noted that "females still tend to be concentrated in office/clerical positions." However, two of the three attorneys hired during the reporting period were female. This must be considered in light of the fact that the State Bar of Michigan reports only 1,246 females among its membership of 18,038, and that normally attorneys hired for City employment must have passed the State Bar Exam. The Law Department did waive that customary provision, however, in order to hire one of the two females referenced above. The Planning Department is listed for not having any Black or Hispanic males among its 34 employees, yet it should be understood that the Department did not hire a single person during the reporting period, so there was never an opportunity to change that situation.

And in the Administrative Services Department, the report notes that a female mechanic was hired in the Central Garage and that the Department has developed an emphasis on training and promoting females and minorities.

On the whole, I am satisfied with the progress throughout the City employment which has been made during the past eight years. This does not mean that Affirmative Action will stop, for I believe the level of consciousness among persons making hiring decisions has reached its highest point ever.

I will be glad to enable Human Relations Director Richard Letts to speak with you at your request.

Sincerely,

GERALD W' GRAVES,
Mayor.

Referred to Committee on General Services.

February 5, 1981

Council President Lucile Belen and
Members of the Lansing City Council

10th Floor, City Hall

Lansing, Michigan 48933

Dear Council President and Members:

On January 29, 1976, in compliance with Section 4, Act 197 of the Public Acts of 1975, and pursuant to the provisions of Act 327, Public Acts of 1931, as amended, and Act 284, Public Acts of 1972, as amended, and the powers granted by Act 338, Public Acts of 1974, I established the Downtown Development Authority for the City of Lansing.

Because of the great importance and positive impact this Board can have on current projects contemplated for the downtown area, I am submitting to you, for your consideration and confirmation, an updated membership list. Your expedient action on these appointments would be greatly appreciated, so that the Board can again become actively involved in the downtown development.

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Trusting this meets with your approval, I remain

Sincerely,

GERALD W. GRAVES,
Mayor.

Referred to Committee of the Whole.

February 5, 1981

Council President Lucile Belen and
Members of the Lansing City Council

10th Floor, City Hall

Lansing, Michigan 48933

Dear Council President and Members:

On December 10, 1980, Ingham County mailed a warrant to the City in the amount of $67,845.04 for payment in full for all services provided by the Lansing 911 Program through September 30, 1980. At that time, City Controller Stephen W. Duarte advised me that the City was entitled to additional compensation under our contract with the County and he returned the warrant uncashed. Subsequently, he met with the County's representative and as a result of that meeting the City has received and deposited a new warrant in the amount of $111,404.04. This represents a net increase in cash in the amount of $43,559.00.

Sincerely,

GERALD W. GRAVES,
Mayor.

Received and placed on file.

February 5, 1981

Council President Lucile Belen and
Lansing City Council Members

Lansing City Council

10th Floor, City Hall

Lansing, Michigan 48933

Dear President Belen and
Council Members:

On December 22, 1980, my office was notified that the City of Lansing had been awarded an Urban Development Action Grant of $935,000 by the Department of Housing and Urban Development for the development of Capital Commons.

The original request was for $7,421,000 and that request, through numerous negotiating sessions with the Department of Housing and Urban Development, was reduced to $935,000. The funds will be utilized for assistance in the construction of 116 market rate low rise rental garden apartments and townhouses in Phase I.

The recent turn of events of the new administration in Washington indicates the possibility that attempts will be made to rescind the funding appropriated by Congress for fiscal year 1981. Capital Commons funding is a portion of that appropriation, therefore, it is necessary to proceed with haste to provide H.U.D. with the legal requirements necessary for this grant.

I have been advised by several sources, to attempt to ensure the funding is not jeopardized, that the sooner all documentation is in the possession of H.U.D. the better.

Attached is a resolution I recommend for your adoption.

Sincerely,

GERALD W. GRAVES,
Mayor, City of Lansing.

Referred to Committee of the Whole.

DATE: 2/6/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Mayor's Economic Development Advisory Group Re: Oldsmobile application for Industrial Facilities Exemption Certificate

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Economic Development.

DATE: 2/6/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Mayor's Economic Development Advisory Group Re: Proposed Industrial Development District at Oakland Avenue, Case and Ballard Streets—(Airport Realty Industrial Development District)

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Economic Development.

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February 4, 1981

Council President Lucile Belen and
Members of the Lansing City Council

10th Floor, City Hall

Lansing, Michigan 48933

Dear Council President and Members:

I wish to bring to your attention a matter which is of great concern to me—that of the extreme costs of replacing City vehicles totaled out in traffic accidents or repairing vehicles damaged by malicious destruction.

During 1980, seven City vehicles were totaled out in accidents, including one ambulance and six Police cars. One of those Police cars was brand new with less than 1,000 miles of use. While the City received over $43,000 in insurance reimbursement from Auto-Owners, that reimbursement typically covered less than one-half the cost of replacement of the vehicle. Additionally, since the City is insured on the basis of actual costs incurred by Auto-Owners, this loss will be reflected in higher premiums over time.

Also during the year, 20 Police vehicles were subjected to malicious destruction, in many instances by persons arrested kicking out rear or side windows. Ten of the vehicles were sent for outside repairs totaling $1,297.29, of which $60.42 was later reimbursed to the City by the perpetrator. In the other instances, the damage to the vehicle was in the form of dents, scratches, or other body work which was not repaired until general preparation work is done for the City vehicle option. Therefore, the costs of this vandalism are only deferred and are not isolated due to the general body repair and repainting done for each vehicle. In a few other cases, repairs were made by the Central Garage with parts in stock, such as broken headlights, etc. Labor costs of in-house repairs are also not reflected.

I bring this to your attention as a matter of information. City staff are studying measures to appropriately deal with these problems where possible.

Sincerely,

GERALD W. GRAVES,
Mayor.

Received and placed on file.

## RESOLUTIONS

By COMMITTEE ON PHYSICAL DEVELOPMENT—

Resolved by the City Council of the City of Lansing:

Whereas, three vacancies exist on Citizens District Council No. 1, and

Whereas, the Mayor has recommended confirmation of three individuals to fill these vacant positions,

Now, Therefore, Be It Resolved, the City Council of the City of Lansing hereby confirms and approves the appointments of Howard Kittel, Ray Ruppert and Eva Aldridge to Citizens District Council No. 1 for terms expiring May 5th, 1981.

Adopted by the following vote:

Unanimously.

By COMMITTEE OF THE WHOLE—

Resolved by the City Council of the City of Lansing:

Whereas, a vacancy exists on the Lansing Housing Commission; and

Whereas, the Mayor has submitted the name of Kathleen M. Rodgers for consideration and confirmation by the Council to fill the vacancy;

Now, Therefore, Be It Resolved, the City Council of the City of Lansing hereby confirms and approves the appointment of Kathleen M. Rodgers to serve on the Lansing Housing Commission for a term to expire in June of 1981.

Adopted by the following vote:

Unanimously.

By ECONOMIC DEVELOPMENT COMMITTEE—

RESOLUTION APPROVING PROJECT AREA, PROJECT DISTRICT AREA AND APPOINTMENT OF ADDITIONAL DIRECTORS

(Michigan Optometric Association)

Minutes of a regular meeting of the City Council of the City of Lansing, Michigan, held at 7:00 o'clock p.m., Michigan Time, on February 9, 1981, at which the following members were present: Councilmen Adado, Belen, Blair, Brenke, McKane, Lindemann, Worthing; and the following were absent: Councilman Gunther.

The following preamble and resolution were offered by Councilman Brenke and supported by Councilman McKane:

Whereas, there exists in the City of Lansing the need for programs to alleviate and prevent conditions of unemployment, to assist and retain local industries and commercial enterprises in order to strengthen and revitalize the City's economy and to encourage the location and expansion of commercial enterprises to provide needed services and facilities to the City and its residents; and

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Whereas, the Economic Development Corporations Act, being Act No. 338, Public Acts of Michigan, 1974, as amended (the "Act") provides a means by which this purpose and intent may be accomplished; and

Whereas, Michigan Optometric Association (the "Applicant") has proposed the acquisition and construction of a new office building for the primary purpose of general office space for the Applicant (the "Project") to alleviate the aforesaid conditions and provide needed services and the Project has been initiated by The Economic Development Corporation of the City of Lansing (hereinafter referred to as the "EDC"); and

Whereas, the EDC, in conformity with Act 338 of the Public Acts of 1974, as amended, has designated a Project Area and recommended a Project District Area for the Project to this City Council for its approval; and

Whereas, the Mayor of the City of Lansing has appointed two additional directors to the EDC Board who are representative of neighborhood residents or business interests which may be affected by the project.

Now, Therefore, Be It Resolved by this City Council of the City of Lansing, as follows:

1. The Project Area described in Exhibit A, as designated by the EDC, be and is hereby certified as approved.

2. The Project Area is zoned for its contemplated use and the bordering parcels and surrounding area are compatible with the Project. Accordingly, the Project District Area is hereby designated as those parcels described in Exhibit A.

3. It is hereby determined that there are less than eighteen (18) residents, real property owners, or representatives of establishments located within the Project District Area and, therefore, a Project Citizens District Council shall not be formed pursuant to Section 20 (b) of the Act.

4. The appointment of Michael Haley and Gary Weston as additional directors of the EDC Board for the Michigan Optometric Association Project is hereby ratified and confirmed.

5. The City Clerk be, and is hereby directed to provide a certified copy of this resolution to the Secretary of the Board of the EDC.

Adopted:

Yeas: Councilmen Adado, Belen, Blair, Brenke, Lindemann, McKane, Worthington.

Nays: None.

Not Voting: None.

Absent: Councilman Gunther.

STATE OF MICHIGAN }
COUNTY OF INGHAM } ss.

I hereby certify that the foregoing is a true and complete copy of the minutes of a regular meeting of the City Council of the City of Lansing, Counties of Ingham, Eaton and Clinton, Michigan, held on the 9th day of February, 1981, and that the said minutes are on file in the office of the City Clerk and are available to the public. Public notice of said meeting was given pursuant to and in compliance with Act No. 267, Public Acts of Michigan, 1976, including in the case of a special or rescheduled meeting, notice by publication or posting at least eighteen (18) hours prior to the time set for said meeting.

THEO FULTON,
City Clerk.

Dated: February 9, 1981.

Adopted by the following vote:

Unanimously.

EXHIBIT A

The East ½ of the West ½ of Lots 7 and 8 of Block 87 of the Original Plat of the City of Lansing, Ingham County, Michigan.

The West 41¼ feet of Lot 7 and the South 30¼ feet of the West 41¼ feet of Lot 8, Block 87, of the Original Plat of the City of Lansing, Ingham County, Michigan.

The North 35½ feet of the West 41¼ feet of Lot 8, Block 87, Original Plat, City of Lansing, Ingham County, Michigan.

Lot No. 9, Block No. 87, Original Plat, of the City of Lansing, Ingham County, Michigan. (Purchased on 10-year land contract from Chester J. Rupp and Bertha E. Rupp, husband and wife, on November 14, 1973.

By ECONOMIC DEVELOPMENT COMMITTEE—

RESOLUTION APPROVING PROJECT AREA AND PROJECT DISTRICT AREA

(Cutler Plastics Project)

Minutes of a regular meeting of the City Council of the City of Lansing, Michigan, held at 7:00 o'clock p.m., Michigan Time, on February 9, 1981, at which the following members were present: Councilmen Adado, Belen, Blair, Brenke, Lindemann, McKane, Worthington; and the following were absent: Councilman Gunther.

The following preamble and resolution were offered by Councilman Brenke and supported by Councilman McKane:

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Whereas, there exists in the City of Lansing the need for programs to alleviate and prevent conditions of unemployment, to assist and retain local industries and commercial enterprises in order to strengthen and revitalize the City's economy and to encourage the location and expansion of commercial enterprises to provide needed services and facilities to the City and its residents; and

Whereas, the Economic Development Corporations Act, being Act No. 338, Public Acts of Michigan, 1974, as amended (the "Act") provides a means by which this purpose and intent may be accomplished; and

Whereas, Gary L. Cutler, President of Cutler Plastics Corp., has proposed the acquisition and construction of a manufacturing facility for the production of polypropylene jars (the "Project") to alleviate the aforesaid conditions and provide needed services and the Project has been initiated by The Economic Development Corporation of the City of Lansing (hereinafter referred to as the "EDC"); and

Whereas, the EDC, in conformity with Act 338 of the Public Acts of 1974, as amended, has designated a Project Area and recommended a Project District Area for the Project to this City Council for its approval; and

Whereas, the Mayor of the City of Lansing has appointed two additional directors to the EDC Board who are representative of neighborhood residents or business interests which may be affected by the Project.

Now, Therefore, Be It Resolved by this City Council of the City of Lansing, as follows:

1. The Project Area described in Exhibit A, as designated by the EDC, be and hereby is certified as approved.

2. The Project Area is zoned for its contemplated use and the surrounding area is not expected to be affected by the Project. Accordingly, the Project District Area is hereby designated as the area described in Exhibit A.

3. It is hereby determined that there are less than eighteen (18) residents, real property owners, or representatives of establishments located within the Project District Area and, therefore, a Project Citizens District Council shall not be formed pursuant to Section 20 (b) of the Act.

4. The appointment of Howard Spence and Michael Haley as additional directors of the EDC Board for the Cutler Plastics Project is hereby ratified and confirmed.

5. The City Clerk be, and is hereby directed to provide a certified copy of this resolution to the Secretary of the Board of the EDC.

Adopted:

Yeas: Councilmen Adado, Belen, Blair, Brenke, Lindemann, McKane, Worthington.

Nays: None.

Not Voting: None.

Absent: Councilman Gunther.

STATE OF MICHIGAN }
COUNTY OF INGHAM } ss.

I hereby certify that the foregoing is a true and complete copy of the minutes of a regular meeting of the City Council of the City of Lansing, Counties of Ingham, Eaton and Clinton, Michigan, held on the 9th day of February, 1981, and that the said minutes are on file in the office of the City Clerk and are available to the public. Public notice of said meeting was given pursuant to and in compliance with Act No. 267, Public Acts of Michigan, 1976, including in the case of a special or rescheduled meeting, notice by publication or posting at least eighteen (18) hours prior to the time set for said meeting.

THEO FULTON,
City Clerk.

Dated: February 9, 1981.

Adopted by the following vote:

Unanimously.

EXHIBIT A

Lot 9, Midway Industrial Center, a Subdivision of a part of Section 3, T3N, R2W, City of Lansing, Ingham County, Michigan, except beginning at the NW corner of said Lot 9 thence S 89° 42′ 50″ E 332.82 feet on North line of said Lot 9; thence S 17° 10′ 15″ E 151.88 feet; thence S 65° 56′ 20″ W 285.00 feet; thence N 24° 03′ 40″ W 288.00 feet on the West Line of said Lot 9 to the point of beginning.

By ECONOMIC DEVELOPMENT COMMITTEE—

Resolved by the City Council of the City of Lansing:

Whereas, it is necessary to hold a public hearing on the proposed establishment of a Lansing Industrial Development District IPR-2-81, on property bounded by Case and Ballard Streets, Pen-Central Rail right-of-way, and Oakland Avenue, more particularly described as:

Beginning at the intersection of the center lines of Porter and Ballard Streets,

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thence west long the center line of Porter Street to the west end of the dedicated Porter Street right-of-way, thence northerly 75 feet, thence westerly to the East line of the Michigan Central Railroad right-of-way thence south along said right-of-way to the north line of the Oakland Avenue right-of-way, thence easterly along the northerly right-of-way of Oakland Avenue as designated by the State of Michigan Highway Department to the center line of Ballard Street, thence northerly along the centerline of Ballard Street to the point of beginning.

Now, Therefore, Be It Resolved that the City Clerk give at least ten (10) days notice of a public hearing when all persons interested may attend and make any objections they may have to such proposed district; and

Be It Further Resolved that such hearings be held at the Council Chambers in the City Hall on the 2nd day of March, 1981, at 7:00 p.m.; and that notice of such hearing be published in a publication of general circulation in said city.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON WAYS AND MEANS—

Resolved by the City Council of the City of Lansing:

Whereas, the costs of repairing utility costs on City streets have increased annually due to higher costs of wages, fringe benefits, materials, and equipment rental rates; and

Whereas, these increased costs far exceed the revenue from fees charged for these repairs, since the fixed fee per square foot for utility cut repairs has not been changed by the City Council since 1960; and

Whereas, utility cuts also require posting of indemnity bonds, as stipulated in Section 28-59 of the City Code, the amount of deposit for such bonds to be determined by the City Council; and

Whereas, the Public Service Director, the Mayor, and the Public Service Board have recommended a revised fee schedule for repairing utility costs, and revised amounts for deposits on related indemnity bonds;

Now, Therefore, Be It Resolved, the Lansing City Council hereby concurs with the Public Service Director, the Mayor, and the Public Service Board, and adopts the following fee schedule as recommended:

UTILITY PAVEMENT CUT FEES

| | |
|---|---|
| Gravel Streets | $1.00/sq. ft. |
| Blacktop w/Gravel Base | $3.50/sq. ft. |
| Blacktop Streets w/Bituminous or Concrete Base | $7.50/sq. ft. |
| Concrete Pavement | $7.50/sq. ft. |

DEPOSIT FOR INDEMNITY BONDS

| | |
|---|---|
| Gravel | $ 50.00 |
| Blacktop w/Gravel Base (Single Cut) | $200.00 |
| Blacktop w/Gravel Base (Double Cut) | $400.00 |
| Blacktop w/Bituminous or Concrete Base and Concrete Pavement (Single Cut) | $400.00 |
| Blacktop w/Bituminous or Concrete Base and Concrete Pavement (Double Cut) | $800.00 |

Adopted by the following vote:

Unanimously.

By COMMITTEE ON HUMAN SERVICES—

Resolved by the City Council of the City of Lansing:

Whereas, the Human Resources Advisory Board has submitted their annual list of categorical recommendations for fund of FY 81-82 human services, based on the City Council's formula of one percent of the combined General Fund/Federal Revenue Sharing budget, which is estimated at $500,000 ($50,000,000 combined budget times 1%), plus $75,000 to be used as matching funds; and

Whereas, these recommendations are similar to the categorical allocations of previous years, with the exception of the category for Mental Health/Substance Abuse; and

Whereas, additional funds in the form of identified General Funds carried forward from previous years are available for categorical allocation;

Now, Therefore, Be It Resolved, the Lansing City Council hereby approves the categorical allocations (attached) for funding of FY 81-82 human services, as recommended by the Human Resources Advisory Board; and

Be It Further Resolved, the City Council is willing to consider further recommendations from this board regarding allocation of identified carry forward funds toward the Substance Abuse sub-category, which is currently listed as unfunded.

Adopted by the following vote:

Unanimously.

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By COUNCILMAN WORTHINGTON—

Resolved by the City Council of the City of Lansing:

LS-91-80

4306 Ingham
3301-31-402-071

More particularly described as:

Lot 51, Eco Farms Subdivision, City of Lansing, Ingham County, Michigan;

Whereas, Mr. and Ms. Delbert Heistand have requested to divide the above described property into two (2) lots, one of which is below the minimum width requirements of the Subdivision Ordinance; and

Whereas, the Planning Board has reviewed this request and recommends the lot division be approved; and

Whereas, the Physical Development Committee of City Council has reviewed the report of the Planning Board and does concur therewith;

Now, Therefore, Be It Resolved that the Council of the City of Lansing approves the request to divide the above described property as follows:

Parcel A: The north 52.25 feet, Lot 51, Eco Farms Subdivision, City of Lansing, Ingham County, Michigan.

Parcel B: Lot 51, except the north 52.25 feet, Eco Farms Subdivision, City of Lansing, Ingham County, Michigan.

The applicant, however, stipulates and understands that the lot split as granted by the City of Lansing does not necessarily mean that the applicant may proceed with the division of the property. The applicant further understands that there may be some private restrictions contained in his Deed for plat restrictions which may or may not be required with the Register of Deeds, which may run with the land. The applicant further understands that the City does not have the power or authority over these restrictions; and

Be It Further Resolved that the owners or developers of this property make arrangements for satisfactory sewer hookups with the Public Service Department prior to any further construction.

Adopted by the following vote:

Unanimously.

By COUNCILMAN WORTHINGTON—

Resolved by the City Council of the City of Lansing:

P-6-79

Webster Farms No. 4 Subdivision
Final Plat

Whereas, the final plat of Webster Farms No. 4 Subdivision has been submitted for approval; and

Whereas, the Planning Board has reviewed the final plat of Webster Farms No. 4 Subdivision and found it to be in ubstantial conformance with the preliminary plat and recommended approval subject to conditions; and

Whereas, the Physical Development Committee of City Council reviewed the report of the Planning Board and concurred therewith;

Now, Therefore, Be It Resolved that the Council of the City of Lansing ordains that the final plat of Webster Farms No. 4 Subdivision be approved subject to the following conditions:

1) That a Deed or Abstract of Title, accompanied by an attorney's opinion as to the marketability of the land, or a Certificate of Title Insurance be submitted to the City Clerk prior to the filing of the plat and the affixing of the Municipal Seal.

2) That final security be posted in the amount specified by the Public Service Department and the Department of Parks and Recreation.

3) That final clearance from the Board of Water and Light for the development be obtained.

4) That easements be recorded and shown on the face of the plat as required by all private utilities.

5) That the requirements of the other applicable agencies be adhered to; and

Be It Further Resolved that the City Clerk be, and she is hereby, directed to notify the proprietor(s) of the plat and the surveyor(s) of the land of this approval.

Adopted by the following vote:

Unanimously.

By PHYSICAL DEVELOPMENT COMMITTEE—

Resolved by the City Council of the City of Lansing:

Whereas, Cristo Rey Community Center and the Lansing School District submitted a proposal to place a portable classroom unit on the vacant lot located between 1317 and 1401 N. High Street; and

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Whereas, following the submission of that proposal, the Lansing Planning Department completed an Act 285 Review; and

Whereas, the Lansing Planning Board at their regular meeting on January 20, 1981, reviewed the Act 285 Review and approved the proposal, subject to certain conditions, to place the mobile unit on the vacant lot located between 1317 and 1401 N. High Street; and

Whereas, the Physical Development Committee of the Lansing City Council reviewed and approved the recommendations from the Planning Board concerning this project; and

Now, Therefore, Be It Resolved that the City Council of the City of Lansing grants approval to Cristo Rey Community Center and the Lansing School District to place one mobile classroom on the vacant lot located between 1317 and 1401 N. High Street subject to the following conditions:

1. That Cristo Rey Community Center and the Lansing School District place on file with the City Planning Department a statement of understanding that the placement of the mobile classroom is for a period of two years beginning on the date of approval by the Lansing Planning Board (January 20, 1981).

2. Cristo Rey Community Center place on file with the Planning Department a written agreement between Cristo Rey Community Center and Mt. Zion Baptist Church that overflow parking from the community center will be allowed to use the parking lot attached to the Baptist Church.

3. That the placement of said unit will be in accordance with all applicable municipal ordinances, and state safety and health regulations.

4. That access easements will be maintained for all utility lines.

Adopted by the following vote:

Unanimously.

By PHYSICAL DEVELOPMENT COMMITTEE—

Resolved by the City Council of the City of Lansing:

Whereas, the City of Lansing is rehabilitating the Northside Neighborhood Development Area No. 3 in cooperation with the Federal government for financial assistance all pursuant to Act 344, Public Acts of 1945, as amended; and

Whereas, the City of Lansing has prepared and adopted in Ordinance No. 469 a Physical Development Plan and a plan for relocating families and individuals who are to be displaced by the rehabilitation of said area; and

Whereas, the City of Lansing, acting by and through its Planning and Redevelopment Departments has consulted with Citizens' District Council No. 3 of Neighborhood Development Area No. 3; and

Whereas, that Council has recommended that the rehabilitation strategy adopted as part of the development plan be amended to acquire and demolish 1539 N. High Street; and

Whereas, the Planning Board has reviewed and approved the recommendation to acquire and demolish 1539 N. High Street; and

Whereas, this acquisition and demolition will assist the City and residents in renovating this deteriorated Residential Area and is in compliance with Act 344, Public Acts of 1945 as amended; and

Whereas, the Act requires the City to provide citizens an adequate opportunity to ask questions and express opinions and concerns about modifications to the Physical Development Plan; and

Now, Therefore, Be It Resolved that the City Council of the City of Lansing in satisfying the requirements of Act 344, Public Acts of 1945 as amended, schedule a public hearing on March 9, 1981, to consider the acquisition of 1539 N. High Street.

Adopted by the following vote:

Unanimously.

ZONINGS

By COUNCILMAN WORTHINGTON—

Whereas, it is deemed desirable to amend the Classification provided for in the Zoning Code of the City of Lansing, passed on the 13th day of November, 1958, in the following particulars, viz:

That property described as:

Z-45-80—700 block Call Street,

be rezoned from "B" One Family Residential District to "F" Commercial District and the "Map" be changed to indicate such transfer;

Therefore, Be It Resolved, that the City Clerk shall give at least fifteen days notice of a Public Hearing when all persons interested may attend and make any objections they may have to such proposed changes in said Zoning Code.

Resolved Further, that such hearing shall be held at the Council Chamber in the City Hall on the 2nd day of March,

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1981, at 7:00 o'clock p.m., and that notice of such hearing be published in the official publication of said city, as required by law.

Adopted by the following vote:

Unanimously.

By COUNCILMAN WORTHINGTON—

Whereas, it is deemed desirable to amend the Classification provided for in the Zoning Code of the City of Lansing, passed on the 13th day of November, 1958, in the following particulars, viz:

That property described as:

Z-44-80—5303 S. Logan Street,

be rezoned from "E-2" Drive-In Shop District to "F" Commercial District and the "Map" be changed to indicate such transfer;

Therefore, Be It Resolved, that the City Clerk shall give at least fifteen days notice of a Public Hearing when all persons interested may attend and make any objections they may have to such proposed changes in said Zoning Code.

Resolved Further, that such hearing shall be held at the Council Chamber in the City Hall on the 2nd day of March, 1981, at 7:00 o'clock p.m., and that notice of such hearing be published in the official publication of said city, as required by law.

Adopted by the following vote:

Unanimously.

By COUNCILMAN WORTHINGTON—

Whereas, it is deemed desirable to amend the Classification provided for in the Zoning Code of the City of Lansing, passed on the 13th day of November, 1958, in the following particulars, viz:

That property described as:

Z-43-80—328 S. Butler Boulevard,

ze rezoned from "C" Two Family Residential District to "F" Commercial District and the "Map" be changed to indicate such transfer;

Therefore, Be It Resolved, that the City Clerk shall give at least fifteen days notice of a Public Hearing when all persons interested may attend and make any objections they may have to such proposed changes in said Zoning Code.

Resolved Further, that such hearing shall be held at the Council Chamber in the City Hall on the 2nd day of March, 1981, at 7:00 o'clock p.m., and that notice of such hearing be published in the official publication of said city, as required by law.

Adopted by the following vote:

Unanimously.

By COUNCILMAN WORTHINGTON—

Whereas, by petition duly filed on the 27th day of October, 1980, this Council was petitioned to change the following described property from "B" One Family Residential District to "J" Parking District, all as set forth in the Zoning Code of this city, and

Whereas, due notice as required by law has been given for a public hearing on said petition, and

Whereas, at such hearing held on the 26th day of January, 1981, all parties interested therein were heard and given due consideration, and

Whereas, the property involved is described as:

Z-40-80—2300 Block of North High Street—3301-03-376-051,

more particularly described as:

Lot 44, Plat of Park Manor Heights Subdivision, a part of the southwest ¼ of Section 3, T4N, R2W, City of Lansing, Ingham County, Michigan,

from "B" One Family Residential District to "J" Parking District.

Whereas, pursuant to Act 207, Public Acts of 1921 as amended, the Planning Board advised the City Council to deny the request; and

Whereas, the Physical Development Committee of City Council has reviewed the report of the Planning Board and does concur therewith;

Now, Therefore, Be It Resolved that the Council of the City of Lansing ordains that the request to rezone the above described property from "B" One Family Residential District to "J" Parking District is denied.

Adopted by the following vote:

Unanimously.

By COMMITTEE OF THE WHOLE—

Resolved by the City Council of the City of Lansing:

Whereas, the City of Lansing was advised on December 2, 1980, that we had been awarded an Urban Development

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Action Grant in the amount of $935,000 for the development of Capitol Commons; and,

Whereas, the grant funds were awarded for the construction of 116 market rate rental garden apartments and townhouses in Phase I of Capitol Commons; and,

Whereas, the private commitment of $4,137,975 in conjunction with the UDAG dollars will create 125 new construction jobs when construction begins in the spring; and,

Now, Therefore, Be It Resolved that the Lansing City Council does accept the UDAG dollars and does authorize the Mayor to sign all subsequent contracts and agreements necessary for the implementation of this grant and that the Controller is authorized to set all accounts necessary.

Adopted by the following vote:

Yeas: Councilmen Adado, Belen, Blair, Brenke, Lindemann, McKane—6.

Nays: Councilman Worthington—1.

By COMMITTEE OF THE WHOLE—

Resolved by the City Council of the City of Lansing:

Whereas, the City of Lansing submitted a grant application requesting $2,551,682.00 from the State of Michigan Department of Transportation for the construction of an Inter-Model Transportation Terminal in June of 1978; and

Whereas, the proposed Inter-Model Transportation Terminal is an integral part of the overall development plan for the central business district; and

Whereas, the proposed site for the terminal on which the planning and grant application were based, is specifically designated in the River Island Area Comprehensive Plan as Grand Avenue between Washtenaw and Kalamazoo Streets;

Now, Therefore, Be It Resolved, the City Council of the City of Lansing hereby reaffirms its commitment to and support of the Grand Avenue site as the future location of the Inter-Model Transportation Terminal.

Adopted by the following vote:

Yeas: Councilmen Adado, Belen, Brenke, McKane, Worthington—5.

Nays: Councilmen Blair, Lindemann—2.

By COMMITTEE OF THE WHOLE—

Resolved by the City Council of the City of Lansing:

Whereas, the City Assessor is required by State law to assess residential properties at 50 percent of their market value; and

Whereas, the Assessor has announced an increase in value for an average City property of about 9 percent since last year, meaning that property owners will pay more than one million dollars in additional taxes at the current tax rate; and

Whereas, the City Council is determined to prove its sensitivity to the growing costs of government at all levels by holding the line on City spending in the coming fiscal year;

Now, Therefore, Be It Resolved, the Lansing City Council hereby establishes its definite intent to decrease the City's operating millage, exclusive of debt service, by at least one mill, from 11.25 to 10.25 mills or lower, to compensate for increased valuations and to provide some relief to Lansing taxpayers; and

Be It Further Resolved, the City of Lansing urges the Reagan Administration to consider the tremendous impact of federal program cutbacks and provide emergency assistance to states and municipalities hardest hit by the national recession.

Adopted by the following vote:

Unanimously.

By COUNCILMAN WORTHINGTON—

Whereas, by petition duly filed on the 10th day of November, 1980, this Council was petitioned to change the following described property from "A" One Family Residential District to "F" Commercial District, all as set forth in the Zoning Code of this city, and

Whereas, due notice as required by law has been given for a public hearing on said petition, and

Whereas, at such hearing held on the 26th day of January, 1981, all parties interested therein were heard and given due consideration, and

Whereas, the property involved is described as:

Z-42-80—3600 West Jolly Road,

More particularly described as:

Lot 1 of Maple Grove Farms No. 1, City of Lansing, Ingham County, Michigan;

from "A" One Family Residential District to "F" Commercial District.

Whereas, pursuant to Act 207, Public Acts of 1921, the Planning Board advised the City Council to deny this request as

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filed and further, recommended that the above described property be rezoned from "A" One Family Residential to "D-M:1" Multiple Dwelling District. The Planning Board found that this recommendation is in accord with the Southwest Master Plan; and

Whereas, the Physical Development Committee of City Council, to whom was referred the report of the Planning Board, concurs therewith;

Now, Therefore, Be It Resolved that the Council of the City of Lansing ordains that the petition to rezone the above described property from "A" One Family Residential District to "F" Commercial District be denied; and

Be It Further Resolved that the property be rezoned from "A" One Family Residential District to "D-M:1" Multiple Dwelling District.

Adopted by the following vote:

Unanimously.

By COUNCILMAN WORTHINGTON—

Whereas, by petition duly filed on hte 6th day of October, 1980, this Council was petitioned to change the following described property from "J" Parking, "F" Commercial, "E-1" Drive-In Shop and "A" One Family Residential District to "F" Commercial District, all as set forth in the Zoning Code of this city, and

Whereas, due notice as required by law has been given for a public hearing on said petition, and

Whereas, at such hearing held on the 26th day of January, 1981, all parties interested therein were heard and given due consideration, and

Whereas, the property involved is described as:

Z-36-80—4000 block of South Cedar Street—3301-33-254-101, 111, 121, 131, 141, 151, 162, 181, 191, 201,

More particularly described as:

Lots 16 through 25 and Lots 82, 105 and 106, Jessop's Gardens, a subdivision of a part of Section 33, City of Lansing, Ingham County, Michigan;

from "J" Parking, "F" Commercial, "E-1" Drive-In Shop and "A" One Family Residential Districts to "F" Commercial District.

Whereas, pursuant to Act 207, Public Acts of 1921 as amended, the Planning Board advised City Council to approve the request; and

Whereas, the Physical Development Committee of City Council reviewed the report of the Planning Board and does concur therewith;

Now, Therefore, Be It Resolved that the Council of the City of Lansing ordains that the request to rezone the above described property from "J" Parking, "F" Commercial, "E-1" Drive-In Shop and "A" One Family Residential Districts to "F" Commercial District be approved; and

Be It Further Resolved that the City Clerk be, and she is hereby, directed to notify the applicant of this action.

Adopted by the following vote:

Yeas: Councilmen Adado, Belen, Brenke, Lindemann, McKane, Worthington—6.

Nays: Councilman Blair—1.

By COUNCILMAN WORTHINGTON—

Whereas, by petition duly filed on the 27th day of October, 1980, this Council was petitioned to change the following described property from a "CUP" Community Unit Plan District to "DM" Multiple Family Dwelling District, all as set forth in the Zoning Code of this city, and

Whereas, due notice as required by law has been given for a public hearing on said petition, and

Whereas, at such hearing held on the 26th day of January, 1981, all parties interested therein were heard and given due consideration, and

Whereas, the property involved is described as:

Z-39-80—3532 West Jolly Road—3301-31-351-131,

More particularly described as:

Commencing on the section line 1613.1 feet west of the south ¼ post, Section 31, thence north 300 feet, thence west 90 feet, thence south 300 feet, thence east 90 feet to beginning;

from "CUP" Community Unit Plan District to "D-M:1" Multiple Dwelling District.

Whereas, pursuant to Act 207, Public Acts of 1921, the Planning Board advised the City Council to approve this request with the understanding that the site will be developed with one (1) apartment building containing seven (7) efficiency units and that the "CUP" as approved by the City Council, on July 29, 1974, for the subject property and property immediately to the west is no longer valid; and

Whereas, the Physical Development Committee of City Council to whom was re-

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ferred the report of the Planning Board concurs therewith;

Now, Therefore, Be It Resolved that the Council of the City of Lansing ordains that the petition to rezone the above described property from "CUP" Community Unit Plan District to "D-M:1" Multiple Dwelling District be approved with the understanding that this property will be developed with one (1) apartment building containing seven (7) efficiency units and that the original "CUP" approved by the City Council on July 29, 1974, is no longer valid. The Council found that this change will allow the same number of units to be developed as approved in the original "CUP" and should not seriously affect adjoining residential properties.

Adopted by the following vote:

Unanimously.

Resolved by the City Council of the City of Lansing:

That transfers be made as follows for Mid-year adjustments for fiscal year ending June 30, 1981:

$ 1,930.00 from City Clerk—Temporary Help
A/C 101-215-000-707

5,700.00 from Reserve for Contingency
A/C 101-941-000-963

$ 1,930.00 to Election—Temporary Help
A/C 101-191-000-707

5,700.00 to Election—Misc. and Operating
A/C 101-191-000-741

$ 6,750.00 from Education & Training Gen. Adm.
A/C 101-930-000-960

$ 6,750.00 to Professional Services—Data Proc.
A/C 101-222-000-801

$ 4,000.00 from Gasoline Reserve
A/C 101-222-000-751

8,000.00 from Equipment Central Garage
A/C 101-222-000-977

$ 12,000.00 to Auction—Central Garage
A/C 101-222-000-959

$ 20,000.00 from Equipment—Central Garage
A/C 101-222-000-977

$ 10,000.00 to Repair Parts—Police
A/C 101-222-211-781

10,000.00 to Repair Parts—Other—Central Garage
A/C 101-222-213-781

$ 5,000.00 from Salaries & Longevity
A/C 101-226-000-702

$ 5,000.00 to Arbitration Fees
A/C 101-226-000-821

$ 6,492.00 from Reserve for Contingency
A/C 101-941-000-963

$ 2,492.00 to Utilities—Washington Square Annex
A/C 101-265-002-920

4,000.00 to Utilities—Jury-Rowe—Property Management
A/C 101-265-004-920

$ 1,500.00 from Reserve for Contingency
A/C 101-941-000-963

$ 1,500.00 to Cemetery Fund Contribution
A/C 101-276-000-969

$ 1,500.00 from Cemetery—Estimated Revenues
A/C 516-000-000-160

$ 1,500.00 to Cemetery—Salary—Overtime
A/C 516-536-000-708

$ 730.00 from Ambulance—Operating Supplies
A/C 101-349-000-740

9,950.00 from Reserve for Contingency
A/C 101-941-000-963

$ 5,980.00 to Admin. Salaries
A/C 101-337-000-702

3,160.00 to Prevention—Overtime
A/C 101-341-000-708

670.00 to Alarm—Salaries
A/C 101-345-000-702

140.00 to Dishpatch—Salaries
A/C 101-348-000-702

730.00 to Ambulance Equipment
A/C 101-349-000-977

$ 1,150.00 from Operating Supplies Building Safety & Dev.
A/C 101-380-000-740

$ 1,150.00 to Misc. & Operating Expenses Building Safety & Dev.
A/C 101-380-000-741

$ 550.00 from Salaries & Longevity
A/C 101-441-000-702

$ 550.00 to Overtime—Salary
A/C 101-441-013-708

$ 1,000.00 from Gen. Services—Operating Supplies
A/C 101-718-300-740

$ 1,000.00 to Potter Park—Misc. & Operating Exp.
A/C 101-719-000-741

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$ 4,000.00 from Forestry—Equipment Rental
A/C 101-781-000-943

$ 4,000.00 to Forestry—Equipment Maint.
A/C 101-781-000-933

$ 1,950.00 from Reserve for Contingency
A/C 101-941-000-963

$ 350.00 to City Market—Salary Overtime
A/C 101-694-000-708

1,000.00 to Grounds Operations—Salary Overtime
A/C 101-718-100-708

600.00 to Landscape—Salary Overtime
A/C 101-718-200-708

$ 91,065.00 from Clemens Street Structure—Act 51—Major Street Fund
A/C 202-453-005-974

$ 35,000.00 to Cedar-Penn. Intersection Improve.
A/C 202-453-001-974

5,000.00 to E. Jolly Rd. R.R. Xing
A/C 202-453-001-974

8,555.00 to Wages—Hourly
A/C 202-470-000-706

5,210.00 to Fringe Benefits
A/C 202-470-000-715

8,700.00 to Equipment Rental—Utility Pavement Cuts
A/C 202-470-000-943

11,150.00 to Wages—Hourly
A/C 202-464-000-706

17,450.00 to Fringe Benefits—Surface Maint.
A/C 202-464-000-715

$ 11,610.00 from Clemens Street Structure—Major Streets
A/C 202-453-005-974

700.00 from Jolly Road Structure
A/C 202-453-004-974

$ 500.00 to Wages—Hourly
A/C 202-465-000-706

310.00 to Fringe Benefits
A/C 202-465-000-715

300.00 to Materials
A/C 202-465-000-782

500.00 to Equipment Rental—Overpass Maint.
A/C 202-465-000-943

2,500.00 to Wages—Hourly
A/C 202-475-000-706

1,700.00 to Fringe Benefits—Pavement Markings
A/C 202-475-000-715

5,000.00 to Wages—Hourly
A/C 202-477-000-706

1,500.00 to Fringe Benefits—Signals & Signs
A/C 202-477-000-715

$ 4,015.00 from N. Logan/Willow St. Improvements
A/C 202-452-614-974

1,418,00 from Jolly Rd. Structure—Major Street
A/C 202-453-004-974

1,898.00 from W. Main R.R. Xing
A/C 202-453-700-974

1,923.00 from Cavanaugh R.R. Xing
A/C 202-453-707-974

1,786.00 from Baker St. R.R. Xing
A/C 202-453-709-974

286.00 from W. Michigan R.R. Xing
A/C 202-453-720-974

58.00 from Olds Ave. R.R. Xing
A/C 202-453-768-974

1,606.00 from St. Joe R.R. Xing
A/C 202-453-808-974

300.00 from Wages—Hourly Roadside Mowing
A/C 202-471-000-706

$ 4,640.00 to Fringe Benefits—Street Cleaning
A/C 202-466-000-715

7,450.00 to Fringe Benefits—Winter Maint.—Snow Removal
A/C 202-478-000-715

400.00 to Building Maint.
A/C 202-483-002-931

500.00 to Wages—Hourly—Traffic Surveys
A/C 202-483-003-706

300.00 to Equipment Rental—Roadside Mowing
A/C 202-471-000-943

$ 1,051.00 from Fringe Benefits—Local Streets
A/C 203-468-000-715

5,000.00 from Materials
A/C 203-468-000-282

3,941.00 from Equipment Rental—Unpaved Streets
A/C 203-468-000-943

1,795.00 from Curb & Gutter Construction (New)
A/C 203-456-615-974

$ 2,064.00 to Recondition after Curb & Gutter
A/C 203-457-616-974

357.00 to Wages—Hourly
A/C 203-483-003-706

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210.00 to Fringe Benefits—
Traffic Surveys
A/C 203-483-003-715

6,000.00 to Wages—Hourly
A/C 203-477-000-706

3,156.00 to Fringe Benefits—
Signals and Signs
A/C 203-477-000-715

$ 30,000.00 from Materials—Surface Maint.
—Local Streets
A/C 203-464-000-782

18,775.00 from Blacktop Construction
A/C 203-458-614-974

11,526.00 from Contractual Services—
Roto Mill
A/C 203-452-610-974

5,924.00 from Unpaved Streets—
Wages—Hourly
A/C 203-468-000-706

$ 11,500.00 to Wages—Hourly
A/C 203-470-000-706

6,883.00 to Fringe Benefits
A/C 203-470-000-715

12,000.00 to Equip. Rental—Utility
Pavement Cuts
A/C 203-470-000-943

2,742.00 to Wages—Hourly
A/C 203-464-000-706

13,015.00 to Fringe Benefits
A/C 203-464-000-715

20,000.00 to Equipment Rental—
Surface Maint.
A/C 203-464-000-943

85.00 to Fringe Benefits—
Dust Prevention
A/C 203-468-100-715

$ 6,576.00 from Wages—Hourly—Local
Streets
A/C 203-468-000-706

5,059.00 from Equipment Rental—
Unpaved Streets
A/C 203-468-000-943

$ 6,525.00 to Fringe Benefits—
Snow Removal
A/C 203-478-000-715

4,923.00 to Fringe Benefits—
Street Cleaning
A/C 203-466-000-715

107.00 to Fringe Benefits—
Roadside Mowing
A/C 203-471-000-715

80.00 to Fringe Benefits—
Pavement Markings
A/C 203-475-000-715

$ 13,490.00 from Equipment—Lots No. 25,
26, 27—100-300 Blk. South
Washington—Parking System
Fund
A/C 585-570-425-977

$ 375.00 to Vehicle Operating
Expense—Meter Maintenance
A/C 585-546-000-867

500.00 to Fringe Benefits—
Lots No. 25, 26, 27
A/C 585-570-425-715

9,275.00 to Wages—Hourly
Lot 28—120 E. Ottawa
A/C 585-570-428-706

3,340.00 to Fringe Benefits—
Lot No. 28—120 E.
Ottawa—Parking System
A/C 585-570-428-715

$ 800.00 from Maintenance—Lots No.
25, 26, 27—100-300 Blk. of
S. Washington
A/C 585-570-425-932

576.00 from Rent—Lot No. 37—
E. Michigan
A/C 585-570-437-940

$ 800.00 to Equipment Maintenance—Meter Maint.
A/C 585-546-000-933

276.00 to Utilities
A/C 585-570-437-920

300.00 to Supplies—Lot No. 37—
E. Michigan
A/C 585-570-437-740

$ 3,000.00 from Equipment Maintenance—
Wastewater Div. Administration
A/C 590-536-000-933

$ 3,000.00 to Repair & Maintenance
Wastewater Div.—Industrial Lab
A/C 590-566-000-930

$ 5,000.00 from Equipment Maintenance—
Truck Operations
A/C 640-962-000-933

6,000.00 from Equipment Maintenance—
Sweepers Operation
A/C 640-964-000-933

4,000.00 from Equipment Maintenance—
Tractor Operations
A/C 640-965-000-933

8,000.00 from Equipment Maintenance—
Grader Operations
A/C 640-966-000-933

1,000.00 from Equipment Maintenance—
Shovel Operations
A/C 640-967-000-933

$ 24,000.00 to Operating Supplies—
Truck Oper.
A/C 640-962-000-740

$ 1,500.00 from Operating Supplies—
Flusher Operations
A/C 640-963-000-740

3,000.00 from Equipment Maintenance—
Equipment Operations
A/C 640-968-000-933

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1,000.00 from Equipment Maintenance—Traffic Operations
A/C 640-969-000-933

$ 2,000.00 to Operating Supplies—Sweeper Operations
A/C 640-964-000-740

1,500.00 to Operating Supplies—Shovel Operations
A/C 640-967-000-740

2,000.00 to Operating Supplies—Equipment Operations
A/C 640-968-000-740

$ 500.00 from District Court Overtime
A/C 760-136-000-708

500.00 from District Court Audit
A/C 760-136-000-807

$ 1,000.00 to District Court—Operating Supplies
A/C 760-136-000-740

$ 20,000.00 from Insurance
A/C 765-958-000-910

$ 20,000.00 to Medical—Police
A/C 765-958-002-823

$ 5,000.00 from Insurance & Bonds
A/C 101-930-000-910

100,000.00 from Estimated Revenues
A/C 101-000-000-160

$ 5,000.00 to Bus Pas Subsidy
A/C 101-930-000-872

100,000 to Street Lighting
A/C 101-930-000-926

$ 700.00 from Police Central Record—Repair and Maintenance
A/C 101-308-000-930

$ 700.00 from Police Central Records—Equipment
A/C 101-308-000-977

$ 8,800.00 from Parks—Gasoline Reserve
A/C 101-692-000-751

29.00 from Municipal Market—Operating Supplies
A/C 101-694-000-741

$ 8,800.00 to Parks—Longevity
A/C 101-692-000-712

29.00 to Municipal Market—Hourly Overtime
A/C 101-694-000-709

$ 725.00 to District Court Salaries
A/C 760-136-000-702

$ 725.00 to District Court Temporary Help—
A/C 760-136-000-707

$ 20,000.00 from General Fund—Fund Balance
A/C 101-000-000-390

$ 20,000.00 to Reserve for Contingency
A/C 101-941-000-963

I hereby certify that this is a properly drawn and eligible transfer.

JAMES W. DOWSETT,
Finance Director.

Approved:

TERRY J. McKANE,
WILLIAM A. BRENKE,
Committee on Ways and Means.

Adopted by the following vote:

Yeas: Councilmen Adado, Belen, Brenke, Lindemann, McKane, Worthington—6.

Nays: Councilman Blair—1.

By COMMITTEE OF THE WHOLE—

Resolved by the City Council of the City of Lansing:

That the following transfer be approved:

$20,000.00 from General Fund—Fund Balance
A/C 101-000-000-390

$20,000.00 to Reserve for Contingency
A/C 101-941-000-963

$20,000.00 from Reserve for Contingency
A/C 101-941-000-963

$20,000.00 to Fire Dept. Suppression Div.—Overtime—Salary
A/C 101-339-000-708

I hereby certify that this is a properly drawn and eligible transfer.

JAMES W. DOWSETT,
Finance Director.

Approved:

LUCILE BELEN,
JAMES D. BLAIR,
TERRY J. McKANE,
PAT LINDEMANN,
WILLIAM A. BRENKE,
LOUIS F. ADADO,

Committee of the Whole.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON WAYS AND MEANS—

Resolved by the City Council of the City of Lansing:

That the following transfer be approved:

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$5,750.00 from Estimated Revenues
A/C 101-000-000-160

$5,750.00 to Equipment
A/C 101-101-000-977

I hereby certify that this is a properly drawn and eligible transfer.

JAMES W. DOWSETT,
Finance Director.

Approved:

TERRY J. McKANE,
WILLIAM A. BRENKE,
Committee on Ways and Means.

Adopted by the following vote:

Unanimously.

By COUNCILMAN ADADO—

Resolved by the City Council of the City of Lansing:

That Councilman Gunther be excused from the session.

Carried.

**REMARKS BY THE MAYOR'S EXECUTIVE ASSISTANT**

No remarks.

**REMARKS BY THE CITY COUNCIL**

No remarks.

Charles Baryames spoke.

Sandra Starnaman, 6187 Willow Hwy., Grand Ledge, spoke for Justin Morrill College and asked Council to pass a resolution.

By COUNCILMAN BRENKE—

That this meeting stand adjourned.

Carried.

Council adjourned at 10:15 p.m.

THEO FULTON,
City Clerk.

Lansing, Michigan

February 9, 1981

F/S/B

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CITY CLERK'S OFFICE
Room 921, City Hall
Lansing, Michigan 48933

Address Correction Requested

BULK RATE
U. S. POSTAGE
PAID
Permit No. 1461
Lansing, Michigan



# OFFICIAL PROCEEDINGS OF
# THE CITY COUNCIL
## OF THE CITY OF LANSING

## Proceedings, February 16, 1981

CITY COUNCIL ROOMS

Lansing, Michigan

February 16, 1981

The City Council of the City of Lansing, Michigan, met in regular session and was called to order by President Lucile Belen.

Present: Councilmen Adado, Belen, Blair, Brenke, Gunther, Lindemann, McKane, Worthington—8.

Absent: None.

The Clerk announced that a quorum of the Council was present.

Invocation was given by Councilman McKane.

Pledge of Allegiance was led by Councilman McKane.

By COUNCILMAN McKANE—

That the Council Proceedings of January 26 and February 2, 1981, be approved.

Carried.

PUBLIC HEARINGS

February 16, 1981, at 7:00 o'clock being the time set as the time for holding a public hearing on the proposed Commercial Redevelopment Exemption Certificate for:

Fairview Heights Association
1612-1616 E. Michigan Avenue.

The Council President announced that if there was anyone present who had ny suggestions or objections to make to the proposed certificate they had the privilege of speaking at this time.

Robert Stevenson, attorney, spoke.

Referred to Committee on Economic Development.

February 16, 1981, at 7:00 o'clock being the time set as the time for holding a public hearing on the proposed establishment of a Lansing Commercil Redevelopment District for:

Michigan Optometric Association
N.E. corner of Ionia St. and Pine St.

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The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed district they had the privilege of speaking at this time.

Letter from the Michigan Retailers Association in support of the district.

Referred to Committee on Economic Development.

February 16, 1981, at 7:00 o'clock being the time set as the time for holding a public hearing on the proposed Industrial Facilities Exemption Certificate for

Oldsmobile Division of General Motors Corporation

Oldsmobile Plant 1—Manufacturing Complex.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed certificate they had the privilege of speaking at this time.

Wayne Williams, President Lansing Regional Chamber of Commerce, spoke and read a statement in support.

Walter M. Jones, 215 Rumsey St., spoke.

Arthur Smith of Oldsmobile spoke.

Referred to Committee on Economic Development.

February 16, 1981, at 7:00 o'clock being the time set as the time for holding a public hearing on the proposed revision of Chapter 17B of the Code of Ordinances providing for a Human Relations Advisory Board, the general functions and duties of such board, plus prohibition against discrimination and provision of equal opportunity by contractors and employers doing business with the City of Lansing.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed ordinance they had the privilege of speaking at this time.

Stuart Dunnings, attorney, spoke for Human Relations Committee.

Rudy Wilson, President Lansing Branch N.A.A.C.P., spoke.

Dr. Ray Jackson spoke.

Fred Porter spoke.

Mike Shaner, Cristo Rey Board of Directors, spoke.

Gary Hicks, of Lansing Assocition for Human Rights, spoke.

Andrew Stewart, Chairman Lansing Association for Human Rights, spoke.

Referred to Committee on Public Properties and Safety.

**THE PUBLIC MAY NOW ADDRESS THE CITY COUNCIL ON ANY OF THE FOLLOWING ITEMS LISTED ON THE AGENDA: COMMUNICATIONS AND PETITIONS, COMMITTEE REPORTS, REPORTS OF CITY OFFICERS AND BOARDS AND RESOLUTIONS. YOU MAY SPEAK ONLY FOR 3 MINUTES ON ANY ONE ITEM.**

Under Reports of City Officers and Boards the following were removed from the agenda:

Letter 1-f.

Letter 4-d.

William Jones, 130 Julian, spoke on Motor Wheel application for Plant Rehabilitation District.

Mike Pyne, Acting President Greater Lansing Labor Council, spoke for Motor Wheel.

Dick Collins spoke for Motor Wheel.

Chris Steele spoke re Mayor's veto on Opper property.

Walter M. Jones, 215 Rumsey St., spoke.

## COMMUNICATIONS AND PETITIONS

The following applications and bonds have been filed for licenses:

RUBBISH HAULER—
Billy Lee Barker.

Referred to Committee on General Services.

Notice of intention to file a claim by Lemuel Goins vs City of Lansing for injuries he sustained while being placed in the Police Department jail area.

Referred to Mayor, City Attorney.

Claims filed by:

Vicki L. Graham for injuries sustained due to fall on icy sidewalk at River Front Park.

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Deborah A. Parker for damage to her automobile due to towing incident.

Josephine M. Selfridge for towing charge for her automobile after being plowed in at the City Parking Lot No. 2.

Referred to Mayor, City Attorney.

Petition filed for rezoning:

Z-3-81—

All of lots 3, 4, 5, 7, 8, 9, 10, 11 and 14; the East 96 ft. of Lot 1, the West 82.5 ft. of Lot 2, the North 33 ft. of Lot 6, and the west 82.5 ft. of Lot 15, Block 22, Orignal Plat and the West 82.5 ft. of Lot 15, Block 22, Original Plat, City of Lansing, Ingham County, Michigan, from "H" Light Industrial, "E" Apartment-Shop, "C" Two Family Residential, and "G-2" Wholesale Districts to "G" Business and "J" Parking Districts—(710, 712, 714, 716, 720, 722, 728, 732, 738, 742, 744, 746, 748, 804, 800 Center Street—403 East Saginaw Street and 723, 727, 731, 735, 739, 743, 751 North Cedar Street.

Referred to Mayor, Planning Board.

Liquor Control Commission submits application from El Azteco Two, Inc., for transfer of ownership of 1980 Class "C" license at 1014-1018 West Saginaw Street from Joseph Celentino.

Referred to Mayor, Committee on General Services.

Motor Wheel Corporation submits application for the establishment of a Plant Rehabilitation District—1600 N. Larch Street.

Referred to Mayor, Economic Development Corporation and Committee on Economic Development.

Letter from James E. Wiles in regard to a ticket he received due to vision obstruction (snow on front and rear window of car).

Referred to Mayor.

Letter from David W. Zarka, General Manager of The Eagle Restaurant and Lounge, in regard to a parking ticket he received due to parking in front of the Restaurant at 300 S. Capitol Avenue.

Referred to Mayor, Traffic Board.

Letter from Local 1618 UAW thanking the Council for their support in connection with Riverfest "80" and ask for their support for Riverfest "81."

Referred to Mayor, Committee on Human Services.

Letter from David P. Nebbeling in regard to the special assessment placed on the December taxes for 920 W. Genesee St. (in connection with clean up of property) and asks that the special assessment be removed from the taxes.

Referred to Mayor, City Attorney.

Letter from Charles A. Baryames and Art C. Baryames in opposition to the proposed bus depot for Lansing.

Received and placed on file with copy to Committee on Physical Development.

Report submitted by the Special Advisory Blue Ribbon Committee (and naming Committee).

Referred to Committee of the Whole.

## MAYOR'S EXECUTIVE ASSISTANT COMMENTS ON ANY ITEM ON THE AGENDA:

Mr. Black spoke re:

Motor Wheel Corporation.

100 Block Exhibition Hall-Convention Center.

Letter to Gladys Gilson.

## REPORTS OF COMMITTEES

The COMMITTEE ON GENERAL SERVICES approves the following applications and bonds for licenses:

RUBBISH HAULER—
Billy Lee Barker.

Signed:

WILLIAM A. BRENKE,
PAT LINDEMANN,
TERRY J. McKANE,
Committee on General Services.

By COUNCILMAN BRENKE—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

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The COMMITTEE ON PUBLIC PROPERTY AND SAFETY, to whom was referred the letter from Carl Fenner regarding the City's tree planting programs, reports as follows:

According to a review by the Internal Audit Office, the City has 1,075 trees ready for planting in its inventory. The Mayor noted in his State of the City Message that nearly 900 street trees were removed in 1980 but not replaced due to budget considerations. The Mayor is requested to closely examine the budget of the Parks Department Forestry Division to allow replacement of street trees removed in FY 81-82 with inventory trees ready for planting.

Signed:

PAT LINDEMANN,
SIDNEY P. WORTHINGTON,
Committee on Public
Properties and Safety.

By COUNCILMAN LINDEMANN—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

The COMMITTEE ON PUBLIC PROPERTIES AND SAFETY, to whom was referred the Survey and Recommendations on different user fees in City Parks and Recreation programs, reports as follows:

This matter is referred to the Committee on Human Services since it deals solely with recreation programs.

Signed:

PAT LINDEMANN,
SIDNEY P. WORTHINGTON,
JAMES D. BLAIR,
Committee on Public
Properties and Safety.

By COUNCILMAN LINDEMANN—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

## REPORTS OF CITY OFFICERS AND BOARDS

February 12, 1981

President Lucile Belen and
Members of City Council

Re: Claim of Mark Evans in the amount of $99.00

Dear President Belen and
Members of City Council:

The above captioned claim was referred to this office for investigation and recommendation.

Claimant alleged that on June 25, 1980, he was exiting the L & M Party Store parking lot and his vehicle's right front wheel hit a section of sidewalk which was broken and partly missing and thereby incurred damage to his vehicle's tire and rim. This office obtained a copy of the police report which verified these facts.

The City of Lansing Code of Ordinances, Chapter 28, Article II, §39, provides that ". . . it shall in all cases be the duty of the city to keep the sidewalks adjoining a lot in good repair." However, "it shall be the duty of any landowner who either wilfully or accidently damages a sidewalk to repair such sidewalk . . .".

An investigation by the Public Service Department of the site reveals that there was a large hole in the sidewalk. It is their opinion that the hole was caused by customers of the L & M Party Store driving their vehicles over the sidewalk. Consequently, it is the duty of the store owner to repair the walk and he has since been so advised. Additionally, records indicate that the City had no notice of the existence of the damage to that portion of the sidewalk prior to the current claim. Pursuant to state statute, a municipality is only liable for damages caused by defects in sidewalks and roadways when it knows or should have known of the defect and has had sufficient opportunity to repair the defect. (MCLA 691.1407). In the instant case there is no indication that the City should have known of the defect. Therefore, based upon the governmental immunity, it is the recommendation of this office that this claim be denied.

Respectfully submitted,

STEPHEN R. SAWYER,
City Attorney.

By COUNCILMAN ADADO—

That we concur in the recommendation of the City Attorney and said claim be denied.

Carried.

February 12, 1981

President Lucile Belen and
Members of City Council

Re: Claim of Ann K. Harris in the amount of $69.35

Dear President Belen and
Members of City Council:

Ms. Harris on or about 9/23/80 was walking at the corner of Capitol and Lena-

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wee when she fell, injuring her ankle and sustaining medical bills in the amount of $69.35. She now seeks reimbursement from the City for these bills on the contention that the design of the curb was "dangerous."

The Public Service Department has informed this office that the corner at which Ms. Harris fell was constructed in such a way that between the pavement of the street and the sidewalk, a 27 in: long step with a 5 in. riser was constructed to compensate for the fact that the sidewalk grade in this location is higher than the pavement. Public Service further states that this design is used in several locations in the City. While no special sign or other marker notified pedestrians of the step, its existence was visible and unobscured.

MCLA 691.1402 and the cases construing that statute as well as Section 28-30 of the City of Lansing Code of Ordinances do place a duty upon the City to maintain sidewalks in reasonable repair. In this case, however, there exists no evidence of negligence on the part of the City either in using this design or in maintaining this corner in good repair. Rather, it appears that claimant merely failed to notice or somehow stumbled on the step.

Therefore, it is the recommendation of this office that Ms. Harris' claim be denied.

Respectfully submitted,

STEPHEN R. SAWYER,
City Attorney.

By COUNCILMAN GUNTHER—

That we concur in the recommendation of the City Attorney and said claim be denied.

Carried.

February 12, 1981

President Lucile Belen and
Members of City Council

Re: Claim of Kathleen Costianes in the amount of $36.50

Dear President Belen and
Members of City Council:

The above captioned claim was referred to this office for investigation and recommendation.

Claimant alleged that on June 29, 1980, she was driving west on Allegan Street by the Jenison Street intersection and her vehicle hit a dip in the street created by alleged street repairs. Claimant submitted a bill in the amount of $36.50 for costs of replacing a tie rod end.

Mr. Howard McCaffery, Director of Public Service for the City of Lansing, reported that his department was unable to locate any such dip or defect of any kind on Allegan Street near the intersection of Jenison Street. In addition, the same department indicates it received no notice whatsoever in the form of calls or complaints, regarding any defects in Allegan Street and that Allegan Street was cold planed and resurfacing of it was completed June 10, 1980.

Based upon the discrepancy between the facts presented by claimant and those presented by the Public Service Department and upon the governmental immunity afforded in situations wherein the governmental agency had no notice of the defective highway (See, MCLA 691.1403; MSA 3.996 (103)), it is the recommendation of this office that the claim be denied.

Respectfully submitted,

STEPHEN R. SAWYER,
City Attorney.

By COUNCILMAN ADADO—

That we concur in the recommendation of the City Attorney and said claim be denied.

Carried.

February 12, 1981

President Lucile Belen and
Members of City Council

Re: Claim of Laura Ann Van Camp in the amount of $114.00

Dear President Belen and
Members of City Council:

The above referenced claim was referred to this office for investigation and recommendation.

Based upon the claimant's statement from Lansing Mercy Ambulance Service, Inc., dated 9/22/80, it appears that claimant's son was transported by Lansing Mercy on 9/20/80.

Investigation of the claim with 911 Emergency Services and the Fire Department reveals that claimant did make a request with 911 for an ambulance at approximately 7:15 p.m. on September 20, 1980, as her son was experiencing swelling and pain in his knee resulting from an athletic injury which occurred several days prior to September 20, 1980.

That request was denied by Lansing Fire Department and claimant was asked by the 911 dispatcher if she had other transportation available. The claimant reported she had no transportation and was asked by the 911 dispatcher if she desired for them to send a Mercy ambulance. The claimant responded "OK" and a Mercy

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ambulance was dispatched by Lansing Fire Department.

The request for ambulance service was denied by Lansing Fire Department on the basis that an emergency, i.e., life threatening situation, did not exist, and that claimant simply sought transportation for medical treatment.

While the Lansing City Charter at Article 4, Chapter 3, §4-303.5 requires that the Lansing Fire Department "maintain and operate such ambulance, inhalator, and other life saving and emergency services as the welfare of the inhabitants of the City may require" it would not appear that the medical situation presented by claimant would qualify as a medical emergency, the nature of which 911 ambulance service was intended to serve.

Consequently, based on the non-existence of an emergency situation, it appears that the City is not responsible for the cost of private ambulance service summoned by Lansing Fire Department at claimant's request and it is the recommendation of this office that this claim be denied.

Respectfully submitted,

STEPHEN R. SAWYER,
City Attorney.

By COUNCILMAN ADADO—

That we concur in the recommendation of the City Attorney and said claim be denied.

Adopted by the following vote:

Yeas: Councilmen Adado, Belen, Brenke, Gunther, Lindemann, McKane, Worthington—7.

Nays: Councilman Blair—1.

February 12, 1981

President Lucile Belen and
Members of City Council

Re: Claim of Gary Goldin in the amount of $100.00

Dear President Belen and
Members of City Council:

Claimant alleged that on November 18, 1980, his vehicle was parked on the roof at South Capitol Avenue garage until approximately 8:30 p.m. when he started the vehicle with the intent to leave. He looked to his right and left and observed very few parked vehicles and saw no cement slab in front of the parking spaces. Assuming there was no obstacle in front of his parking space, he drove straight ahead and his vehicle was impaled upon a "cement lamp foundation" approximately one foot long by one foot wide (1' x 1') and ten to twelve inches (10" - 12") in height. The obstacle had been below eye level from the driver's seat of his vehicle when parked. He submitted two estimates for damages to his vehicle and the lowest estimate is $337.42. He had comprehensive insurance coverage with a deductible in the amount of $100.00. Therefore, claimant seeks to recover his portion of the repair costs in the amount of $100.00.

The Public Service Department has informed this office that claimant, a monthly permit holder, reported the above stated incident to a City ramp employee. City ramp employees (Mr. Jacobs and Mr. Seperic) inspected the cement slab and found the warning pole to be missing and no other visible sign of damage. However, no one from the Parking Division actually witnessed the above incident. Of the five (5) concrete slabs on the top level of the garage, two did not have yellow warning poles installed. The slabs have been without warning poles for some time and they were not thought to be dangerous.

MCLA 691.1406; MSA 3.996 (106) provides in part:

> "Governmental agencies are liable for bodily injury and property damage resulting from a dangerous or defective condition of a public building if the governmental agency had actual or constructive knowledge of the defect and, for a reasonable time after acquiring knowledge, failed to remedy the condition or take action reasonably necessary to protect the public against the condition."

Based on the facts presented by the Public Service Department that the warning pole attached to the cement slab was found to be missing, and the condition was known to have existed for some time, therefore, notice of the unsafe condition must be attributed to the City. **Dotton** v **Common Council of Albion,** 50 Mich 129; 87 NW 1040 (1883).

Under the above statute, defective conditions in a public building for which a governmental agency may be liable may arise from improper design or absence of safety devices on a structural part of permanently attached fixture in a public building. **Bush** v **Oscoda Schools,** 405 Mich 716; 275 NW2w 268 (1979); **Zawadzki** v **Taylor,** 70 Mich App 545; 246 NW 161 (1976); **Green** v **State,** 386 Mich 459; 192 NW2d 491 (1971); 30 Mich App 648; 186 NW2d 792 (1971). Therefore, it appears that the cement foundation absent a warning pole created a defective condition in a public building and would fall within the confines of the aforementioned statute and case law.

Recovery for property damages to motor vehicles is allowed up to $400.00 to the extent the damages are not covered by insurance. Damages shall be assessed on the basis of comparative fault, except that damages shall not be assessed in favor of a party who is more than fifty percent

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(50%) at fault. MCLA 500.3135; MSA 24.13135. In this case, it appears to this office that claimant was negligent in driving his vehicle on top of the cement foundation, by his failure to recall the presence of the cement foundation in front of his parking space which was clearly visible at the time he drove his vehicle into the parking space. **Placek v Sterling Heights,** 405 Mich 638; 275 NW2d 511 (1979). Therefore he is partially at fault for the damage he incurred.

In view of the aforegoing, it is the recommendation of this office that the claimant be offered $50.00 in settlement of his claim based on comparative negligence.

Respectfully submitted,

STEPHEN R. SAWYER,
City Attorney.

By COUNCILMAN ADADO—

That we concur in the recommendation of the City Attorney and the claimant be offered the amount of $50.00 in settlement of claim.

Carried.

February 12, 1981

The Honorable Gerald W. Graves

Mayor of Lansing

Lansing City Hall

Lansing, Michigan 48933

Dear Mayor Graves:

Attached is a copy of Resolution Authorizing the Execution of Amendment No. 14 to Annual Contributions Contract No. C-3007 and the Issuance of Project Loan and Permanent Notes.

This Amendment and incorporated Resolution amends the Lansing Housing Commission to allow it to accept a $50,000 grant for the repair of the roof at South Washington Park Senior Housing Development.

Also attached are copies of the permanent notes which require your signature as Mayor of the City of Lansing and Attestment by the City Clerk.

Your assistance in the expedition of this matter is most appreciated.

If there are further questions in regards to this matter please feel free to contact me.

Sincerely,

WALTER NORRIS, JR.,
Executive Director.

By COUNCILMAN GUNTHER—

RESOLUTION AUTHORIZING THE EXECUTION OF AMENDMENT NO. 14 TO ANNUAL CONTRIBUTIONS CONTRACT NO. C-3007 AND THE ISSUANCE OF PROJECT LOANS AND PERMANENT NOTES

Whereas, the City of Lansing, Michigan, (herein called the "Borrower" and/or the "Local Governing Body") acting by and through the Lansing Housing Commission, (herein called the "Local Authority") proposes (1) to enter into an amendment to the existing Annual Contributions Contract (herein called the "Amendment") with the United States of America (herein called the "Government"); and (2) to authorize the issuance of its notes as evidence of advances to be made to the Local Authority pursuant to the Contract, as amended; all with respect to any "Project" as defined in the Contract, as amended, and which at any time now or hereafter is incorporated under the terms of such Contract, as amended.

Be It Resolved as follows:

**Section 1.** The Amendment to the Annual Contributions Contract is hereby approved and accepted and the President or Vice President is hereby authorized and directed to execute three counterparts of the Amendment on behalf of the Local Authority, and the Clerk of the Local Governing Body is hereby authorized to impress and attest the official seal of the Local Governing Body of each such counterpart and to forward such executed counterparts, or any of them, to the Government together with such other documents evoidencing the approval and authorizing the execution thereof as may be required by the Government.

**Section 2.** The President or Vice-President or Director of the Housing Commission is hereby authorized to file with the Government from time to time, as monies are required, requisitions together with the necessary supporting documents requesting advances to be made on account of the loan provided in the Contract, as amended, and the proper officers of the Borrower shall prepare, execute and deliver to the Government Notes hereinafter authorized and shall accept payment therefor from the Government in cash and/or exchange for other Notes of the Borrower, and such persons are authorized to do and perform all other things and acts required to be done or performed in order to obtain such advances. Cash proceeds from the sale of all Notes shall be deposited and disbursed only in accordance with the provisions of the Contract, as amended.

**Section 3.** (A) In order to provide monies to finance the Development Cost of each Project and to refund, renew, extend or substitute for any Project Loan Notes (in the Contract called "Advance Notes" or "Permanent Notes") by this Resolution authorized to be issued (or any such Notes

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by any other resolution authorized to be issued and which are outstanding, or on deposit for delivery pending payment therefor as of the date this Resolution becomes effective), or for any Project Notes (in the Contract called "Temporary Notes") issued by the Borrower in anticipation of the delivery of Project Loan or Permanent Notes, there are hereby authorized to be issued, from time to time, Project Loan and Permanent Notes of the Borrower in an aggregate principal amount outstanding at any one time (whether authorized by this Resolution or any other resolution authorizing the issuance of Project Loan or Permanent Notes) equal to the Maximum Development Cost.

(B) Each such Note shall bear interest and be payable in the form and manner prescribed by the Contract and this Resolution; shall be signed in the name of the Borrower by the authorized official of the Local Governing Body; shall have the official seal of the Borrower impressed therein and attested by the Clerk of the Local Governing Body. Each Project Loan Note shall be in substantially the form of Form No. HUD-9204-MICH and each Permanent Note shall be in substantially the form of Form No. HUD-52250, each of which form is incorporated herein by reference and made a part hereof. Project Loan Notes and Permanent Notes shall be issued to finance the Development Cost of Non-Permanently Financed Projects and Permanently Financed Projects, respectively.

(C) Each Note issued with respect to any Project shall be secured by (1)a first pledge of the annual contributions payable to the Local Authority and authorized to be pledged to such payment pursuant to the Contract and (2) by a pledge of and lien on the Residual Receipts of such Project after providing for the payment of Bonds issued in respect to such project.

(D) As additional security for the equal and ratable payment of the principal of and interest on each Note issued with respect to any Project, together with each other Note issued with respect to such Project, the Borrower, to the fullest extent permitted by the Laws of the State, hereby pledges, mortgages, conveys and grants unto the Government all property described in the contract constituting such Project, including certain real property relating to each such Project and more particularly described in the trust instrument or any amendment thereto as executed and recorded by the Borrower pursuant to the Contract: Provided That, in respect to Permanently Financed Projects the lien of such pledge and mortgage and rights granted and conveyed pursuant to this paragraph shall (1) be junior to the Bonds and junior to the pledge of Residual Receipts securing the Bonds, and (2) not be foreclosable until all Bonds shall have been paid and discharged in the manner provided in the Bond Resolutions. If the preceding sentence shall be adjudged by a court of competent jurisdiction to be invalid or ineffective it is the intention of the Local Authority to be fully obligated under the other provisions of this Resolution and that such judgement shall not impair or invalidate the obligation of the Local Authority to pay the principal of and interest on each Note from other funds of the Local Authority as herein provided.

**Section 4.** Whenever the following terms, or any of them, are used in this Resolution, the same, unless the context shall indicate another or different meaning or intent, shall be construed, and are intended to have meanings as follows:

(1) The term "Resolution" shall mean this Resolution.

(2) All other terms used in this Resolution and which are defined in the Contract shall have the respective meanings ascribed thereto in the Contract.

**Section 5.** All resolutions or parts of resolutions heretofore adopted by the Local Authority which authorize the issuance and/or delivery of Advance, Project Loan or Permanent Notes pursuant to the Contract are hereby repealed: Provided, however, that such repeal shall in no way affect the validity of Advance, Project Loan or Permanent Notes issued pursuant to said resolutions which are outstanding or on deposit for delivery pending payment therefor on the date this Resolution becomes effective: Provided further, that the Project Loan Notes authorized by this Resolution shall be exchanged for any Advance Notes heretofore issued pursuant to any previous resolution.

Adopted by the following vote:

Unanimously.

February 12, 1981

Honorable Council President Lucile Belen
and Members of the Lansing City Council

10th Floor, City Hall

Lansing, Michigan 48933

Dear Council President and Members:

The Human Relations Board held a special meeting, February 9, 1981, for the prime purpose to review and discuss the revised Human Relations Board Ordinance.

Board members have been quite concerned that their input for the development of this ordinance was denied. There are some members who have served on this board for better than eight years and one who serves as a charter member.

In reviewing the revisions of Chapter 17B of the Code of Ordinances, providing for a Human Relations Advisory Board the following changes were recommended:

"Advisory" should be included with the title Human Relations Board throughout

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the ordinance to reflect the changes in the City Charter.

There appears to be "sexist" terms which should be changed.

That the inclusion of the words in the TITLE of the Ordinance, Page 1, lines 6 thru 8, "PROVIDING FOR PROHIBITION AGAINST DISCRIMINATION BY CITY DEPARTMENTS OR EMPLOYEES AND PROVIDING FOR AN AFFIRMATIVE ACTION OFFICER AND RESPONSIBILITIES THEREOF," is a very important part of the Title, therefore it should be brought to the attention of the City Council, that it most certainly must be an oversight by the draftee and the Advisory Board feels that it definitely should be included in the provisions of the Human Relations Ordinance.

Page 1, line 17, delete the word "Chairman," insert the word "CHAIRPERSON."

Page 1, line 26, delete the word "his," insert the word "a."

Page 2, line 11, after the word city insert the words, "IT SHALL ENFORCE ARTICLE 1, CHAPTER 3, SECTION 1.302 OF THE CITY CHARTER,"

Page 3, line 9, delete the word "or" after the word discrimination.

Page 3, line 10, delete the words, "strive to," as they are not necessary.

Page 4, line 15, delete the word "chairman," insert the word "CHAIRPERSON."

Page 4, line 18, delete the word "may" insert the word, "SHALL."

Page 4, lines 19-20 to read ". . . HUMAN RELATIONS **ADVISORY** BOARD OFFICE SPACE, **APPOINT AN EXECUTIVE DIRECTOR,** FACILITIES, AND **OTHER** APPROPRIATE STAFF AS DETERMINED NECESSARY BY THE CITY COUNCIL."

The Board further recommends that, Article 2, Section 17B-6 be retained in the revised ordinance in its entirety, with the addition of the "protected groups."

**Discrimination by City Departments or Employees Prohibited**

It shall be unlawful for any department of the City or any city official, **AN** agent or employee for and on behalf of the city to willfully refuse to employ, or to discharge any person of this city otherwise qualified, because of race, color, religion, national origin, age, sex, HEIGHT, WEIGHT, HANDICAP, MARITAL STATUS, OR POLITICAL ORIENTATION, to discriminate for the same reason in regard to tenure, terms or conditions of employment; to deny promotion or increase in compensation solely for these reasons; to adopt or enforce any rule or employment policy which discriminates between employees on account of race, color, religion, national origin, age, sex, HEIGHT, WEIGHT, HANDICAP, MARITAL STATUS, OR POLITICAL ORIENTATION; to seek such information as to any employee as a condition of employment except in cooperation with federal or state authorities in furtherance of national security; to penalize any employee or discriminate in the selection of personnel for training solely on the basis of race, color, religion, national origin, sex, age, HEIGHT, WEIGHT, HANDICAP, MARITAL STATUS, OR POLITICAL ORIENTATION.

Page 5, Article 3. "Contracts with the city." Sec. 17B-6, as stated in the proposed ordinance would be changed to reflect 17B-7. It is also recommended that on page 5, line 20 thru 22, in the proposed revisions, which reads ". . . and shall require said contractor or employer, as used in this chapter, is hereby defined and declared to be only employers of four (4) or more employees" be changed to read ". . . AND SHALL REQUIRE SAID CONTRACTOR OR EMPLOYER, AS USED IN THE CHAPTER, MEANS A PERSON WHO HAS ONE (1) OR MORE EMPLOYEES AND INCLUDES AN AGENT OF THAT PERSON."

This is changed to reflect the Elliott Larson Act revisions.

Page 6, line 1, change Sec. 17B-7 to "17B-8."

Page 6, line 8, delete "his," insert "A."

Page 6, line 9, change Sec. 17B-8 to "17B-9."

Page 6, line 19, delete "his," insert "A."

Page 6, line 21, insert **Article 4. Affirmative Action Officer and Responsibilities.**

Sec. 17B-10. THERE IS HEREBY CREATED AN AFFIRMATIVE ACTION PROGRAM WITHIN THE CITY OF LANSING. THE MAYOR OR A DESIGNEE, HEREAFTER REFERRED TO AS THE AFFIRMATIVE ACTION OFFICER FOR THE CITY, SHALL BE RESPONSIBLE FOR ADMINISTERING AND IMPLEMENTING THE AFFIRMATIVE ACTION PLAN FOR THE CITY.

This article addressing the Affirmative Action Program reflects the civil rights position in the City Charter and should be incorporated into the Human Relations Ordinance to assure that the City is in compliance.

The Human Relations Board request that the City Council review and accept these recommended changes in order that the City of Lansing can continue to be re-

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spected for its honest concern for civil rights legislation.

LANSING HUMAN RELATIONS ADVISORY BOARD

Respectfully submitted,

BILLIE M. GLADSTONE,
Chairperson.

Referred to Committee on Public Properties and Safety.

DATE: 2/10 81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Submission of attached correspondence from the Deputy Director for Redevelopment Re: Acquisition of 203 Reo Avenue in NDA No. 4

The attached correspondence is submitted for your information.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Physical Development.

February 11, 1981

Council President Lucile Belen and
Members of the Lansing City Council

10th Floor, City Hall

Lansing, Michigan 48933

Dear Council President and Members:

I am very pleased to inform you that the U. S. Department of Housing and Urban Development has approved a "target" allocation of $340,000 for the City of Lansing's Section 312 Housing Rehabilitation Program for the current fiscal year.

The $340,000 is a minimum figure subject to adequate performance on a quarter-by-quarter basis by the City in expenditures of these funds. This compares to $250,000 received in Fiscal Year 1979 and $325,000 received in Fiscal Year 1980.

Lansing may be eligible for a ceiling figure of $442,000 if HUD recaptures unspent funds from communities with poor performances.

The Section 312 program provides reduced interest loans on a sliding scale based on family income for housing rehabilitation. Homes selected for this program must be located in Neighborhood Development Areas 1, 2, 3, and 4 and their respective peripheral areas. A maximum of $33,000 may be allocated to any single home.

Based on the City's previous experience with the program, this year's funding will enable renovation of approximately 20 homes. The Redevelopment Division of the Building Safety and Development Department has on file more than that many applications for Section 312 loans, but accepts applications on a continuing basis for future funding years.

I am very pleased with the previous results of this program and with the increased allocations from HUD for the current fiscal year.

Sincerely,

GERALD W. GRAVES,
Mayor.

Referred to Committee on Physical Development.

February 11, 1981

Council President Lucile Belen and
Members of the Lansing City Council

10th Floor, City Hall

Lansing, Michigan 48933

Dear Council President and Members:

Attached for your information is notification from the U. S. Department of the Interior of approval of the City of Lansing's Recovery Action Program (RAP). This will enable the City of Lansing to prepare additional grant applications under the Urban Park and Recreation Recovery Program, which previously funded the renovation of the Moores Park Pool.

With this approval, I have already directed the Grants and Program Coordinator to prepare the grant application for the renovation of the Foster Street School to be used as the East Side Community Center. I have stressed the importance of a timely submission of this application in the event that this program is again threatened by the general funding reductions currently being considered at the Federal level.

The above is submitted for your information.

Sincerely,

GERALD W. GRAVES,
Mayor.

Received and placed on file.

DATE: 2/12/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached cor-

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respondence from the Public Service Director Re: Haze Drain Easement

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Physical Development.

DATE: 2/12/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Traffic Engineer Re: Request for modification to parking ordinance on Moores River Drive between Washington Avenue and Todd Street

The attached correspondence is forwarded for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Public Property and Safety.

DATE: 2/12/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Traffic Engineer Re: Request for stop signs at intersection of Averill and Sandhurst

The attached correspondence is forwarded for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Public Property and Safety.

DATE: 2/12/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Traffic Engineer Re: Request for prohibition of on-street parking in vicinity of City Parking Lot No. 24 between Clemens Street and Fairview Avenue

The attached correspondence is forwarded for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Public Property and Safety.

DATE: 2/12/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Traffic Engineer Re: Request for no parking on west side of Stoneleigh Drive opposite Forest View School

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Public Property and Safety.

DATE: 2/12/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Traffic Engineer Re: Improvements to Parking Lot No. 15—500 block of E. Michigan Avenue

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Public Property and Safety.

DATE: 2/12/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Operations Analyst Re: Sale of Vavant Lots: 1119 W. Kalamazoo (NDA No. 1), 1211 Ballard (NDA No. 3)

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Physical Development.

DATE: 2/12/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached cor-

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respondence from the Administrative Services Director Re: Sale of Genesee Center

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Public Property and Safety.

DATE: 2/12/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Parks Director Re: Property Exchange—Gier Park/Front Page

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Public Property and Safety.

DATE: 2/12/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the City Controller Re: Financial Security, Moores Park Subdivision

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Ways and Means.

DATE: 2/12/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Mayor's Economic Development Advisory Group Re: EDC request for certification of project area, designation of project district area, and determination of necessity for establishing project citizens district council for the Michigan Theater renovation project

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Economic Development.

DATE: 2/12/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Mayor's Economic Development Advisory Group Re: Motor Wheel request for establishment of Plant Rehabilitation District

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Economic Development.

February 12, 1981

Mrs. Gladys Gilson

223 W. Barnes Ave.

Lansing, Michigan 48910

Dear Mrs. Gilson:

This is to acknowledge and reply to your interesting letter of February 2, 1981, addressed to me and the Lansing City Council. The letter, which dealt basically with breaking and entering in your area, was read in total.

With respect to your comment "over half of the evening calls seem to be in Moores Park area," a data processing computer run-out for a most recent six-month period, covering the area bounded by Mt. Hope Ave., Washington Ave., Logan St. and the Grand River, revealed that statement **not to be factual.** For example:

**July 1, 1980 through December 31, 1980**

I. Total calls for service **(All types)**
City—35,062

Moores Park Area—744 or 2.1%

A. **4 calls per day** to Moores Park Area

B. 1.3 calls per shift to Moores Park Area

C. **Remainder of City receives 190.6 calls per day.**

II. Total Park I calls (B & E's, etc.)
City—6,7893

Moores Park Area—160 or 2%

A. 27 calls **per month** to Moores Park area

B. .9 calls **per day** to Moores Park area

C. .3 calls **per shift** to Moores Park area

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D. Remainder of city receives 36.9 calls per day.

For your further enlightenment, the Lansing Police Department has had your area under intense surveillance over the recent months and several arrests have been made.

From July 1, 1980, to February 11, 1981, the Lansing Police Department has received 48 B & E complaints in the area of the 1500 to 1800 block of South Washington, and South Washington Avenue, west to Logan.

A search warrant was served at 630 West Mt. Hope, January 12, 1981. The three subjects who lived at 630 West Mt. Hope were arrested for B & E's in Eaton County, and cleaned up three B & E's in the above area.

We have received intelligence reports from the patrol officers on several subjects involved in B & E's and larcenies in the above area, and the investigations or continuing.

Of the 48 cases:

1. 16 were closed.
2. 10 were returned open.
3. 2 are currently under investigation.
4. 7 warrants were issued.
5. 6 petitions have been filed.
6. $8,400.00 worth of property was recovered.

Just how soon these individuals will be "back on the streets" is, of course, difficult to determine since this will depend upon the judicial arm of government. I doubt it will be very long, however, and the same merry-go-round will most likely continue.

For us the fight against crime is total, and very expensive. **For the Year of 1980 alone, the budget for the Lansing Police Department amounted to $11,541,488,** or what equates to $88.44 for every man, woman and child in the City. The costs for Budget Year 1981-82 indicates a **jump of another** 20 percent!! Financially, the City is in difficulty, **yet those convicted are put back on the streets.** For example, the following is a quote from the Tri-County Metro Narcotic Squad Board of Control:

"In comparing this report with the one submitted in July, you can see the continuing trend of the courts to rely on probation as a means of dealing with drug related offenses.

If you add together all the sentences the suspects **could have received, you get 260 years. Adding together all the sentences the suspects actually received, you get less than 13 years. This includes a 5-20 year prison sentence by Judge Robert Bell** on a habitual offender and a 3-20 year prison sentence by Judge James Giddings. The rest of the time would be County jail time."

In studying the report, I was stunned, shocked and amazed to discover:

—That in April, 1979, an individual was arrested for possession of drugs—the search warrant, which led to the arrest was challenged, and **almost 20 months** later the District Judge finally upheld the search warrant. Three weeks later, **the same Judge dismissed the case due to a lack of a speedy trial, and even though the defendent's attorney called for all the adjournments.**

—That an individual had assulted an Ingham County Deputy Sheriff with a knife, and received a deferred sentence—that same individual was convicted of possession of cocaine. The sentence? . . . 6 months in the County jail, 4 years probation, $200 costs.

—That an individual with 2 prior felony convictions and 4 misdemeanors **jumped bond after** being arrested on a charge of delivery of cocaine. He was a fugitive for several months. He was subsequently convicted of possession of cocaine —a 4 year felony. The sentence? . . . 3 years probation, $300 costs, last 6 months in County jail.

—That an individual with 2 felony convictions was arrested and then convicted of attempted possession of cocaine. The sentence was 3 years probation, last 6 months in County jail, $700 in costs and fine TO BE PAID WITHIN 3 YEARS OF SENTENCE, and participate in a drug rehab program.

—That an individual with 2 felony convictions was arrested and then convicted of attempted possession of cocaine. Similar to the aforementioned? Not really. This person was sentenced to 3 years probation, first 15 days in County jail, 15 days credit, and costs of $360.

And, on and on the merry-go-round goes. The total value of dangerous drugs seized was $2,376,133, plus $46,804 in 1980, and $2,776,676, plus $126,329 in 1979. These figures show we are not dealing in small numbers. With the penalties handed out, do you truly feel that law enforcement agencies are supported in their dangerous efforts?

The following is from my most recent State of the City Message:

**"EARLY RELEASE CENTERS**—It has been brought to my attention that the **downtown Young Men's Christian Association (YMCA) building now devotes three full floors for housing early release parolees with minimal supervision.** I believe this presents a clear and present danger to our citizens downtown to have at present 65 or more of these individuals housed in this building, **some of whom are three and**

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**four-time convicted felons. Further, I understand that the Michigan Department of Corrections is contemplating use of one additional floor of the YMCA for as many as 35 more early release parolees.** I recognize the severe shortage now faced by the State of Michigan for adequate prison space, but I believe the State is purely irresponsible for turning this fine old building into a minimal security prison, slowly and without an opportunity for public comment, or City of Lansing input. I urge City Council to take immediate action to request the Department of Corrections and the State Legislature to remove these persons from the YMCA building and provide more reasonable facilities before serious crime shocks us all. The public has basically been unaware of this situation. The public has a right to comment on this very threatening matter, and the City Council is in a positioin to encourage that comment."

I would venture to say that the State of Michigan hasn't even been contacted by any member of City Council.

There is no panacea, no alladdin's lamp or way to legislate human behavior with respect to morals, rights of others or protection of human lives or property. Our major social institutions—notably schools, organized religions and the media have vital roles to play in shaping new attitudes and values, but the key changes need to occur at a personal, individual level. And, the citizenry must stand up to be counted.

For each of the years of 1971 through 1979, we managed to cut crime each year by 2% to 26%. We had one of the finest records in the nation throughout that nine year period. However, the economic changes of 1980 played an important part in a 16% increase in crime last year. Furthermore, to alleviate the over-crowding of prisons, this City and others are actually becoming the "dumping grounds" for paroled inmates who have records of one to four felonies—their habits are formed, yet we have no control over the State Corrections Department, or the courts. Time and time again crime results in a small fine or a "slap on the wrist."

Beyond identifying your neighborhood problems, as you perceive them, if you have any constructive recommendations or suggestions, I would be very glad to receive them. Too, I recommend that you contact your State Legislators regarding the criminal code and that you contact the Office of the Governor, the State Corrections Department and ALL LEVELS OF THE JUDICIAL. Crime will not decrease because we wish it so—it will only decrease when the citizens of this City, our State and our Nation demand changes in the law and in the sentencing structure. Until then, the Lansing Police Department, and all other law enforcement agencies, will continue the merry-go-round of arresting for crimes, seeing convictions result in early returns to the streets, so more crimes can be committed, more arrests made of the same people, and more convictions made with early returns to the streets.

As Chief Justice Warren Burger stated in his recent speech to the American Bar Association Convention, "crime has permeated the fabric of American life" and urged that a reassessment of the rights of criminal suspects be made. He further stated "to change this melancholy picture will call for spending more money than we have ever before devoted to law enforcement **and even this will be for naught if we do not re-examine our judicial process and philosophy with respect to finality of judgments."**

I believe this statement paraphrases and places in perspective the remarks made in the second paragraph, first sentence, of your letter. Examination of the record clearly reveals there is a distinct difference in the sentences meted out in Ingham County compared to Eaton County for example.

Sincerely,

GERALD W. GRAVES,
Mayor.

Received and placed on file.

February 10, 1981

City Council Blue Ribbon Committee

Lansing, Michigan.

Re: 100 Block/Exhibition Hall—
Convention Center Project

Dear Members of the Blue Ribbon Committee:

The efforts of the City of Lansing to develop a quality hotel on the 100 Block, and to construct an Exhibition Hall—Convention Center in conjunction with this, has been moving steadily toward final agreements and construction. The use of $10.3 million of the Federally approved Urban Development Action Grant for the Exhibition Hall—Convention Center required the aforementioned and the hotel to be treated as one project, inasmuch as the private sector, financial commitment for the hotel is being utilized as **required match funds** for the Urban Development Action Grant.

Therefore, and although the City has received the Urban Development Action Grant award some months ago, it has not been possible to proceed with the Exhibition Hall—Convention Center project **until** the private sector hotel project is firmly in place, **including all financial commitments.** The unprecedented high interest rates have made financing of the private sector hotel project unfeasible and, therefore, the entire project has been delayed.

Too, it has been difficult to secure a

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major hotel chain, which was willing to participate in a hotel of size, rather than one of secondary capacity.

Because of the problems, I requested from the Mayor's Urban Development Action Grant (UDAG) Committee of City administrators a report. Same was provided to me on December 23, 1980, and dealt with the current status of the project and **suggested to me four options for consideration.** See attached report re: "100 Block/Exhibition Hall—Status Report and Recommendation."

**Option I—to continue the current strategy,** allowing the developers to proceed with their negotiations, but with an extended time frame. The plan would be to build a quality convention hotel, but reduced to 386 rooms and with some scaling down of the office building.

**Option II—to change the nature of the hotel** development from all conventional financing to EDC financing. This would require a return to the original plan of approximately a 250 room hotel.

**Option III**—to attempt to **redirect** the UDAG grant to use for construction of the convention facility as an integral part of the hotel.

**Option IV**—to make a decision to **cancel** the project and reprogram remaining funds into other identified areas of need.

Shortly thereafter, I began to discuss with Housing and Urban Development (HUD) officials and with the developers the feasibility of proceeding with Option III, that is, to redirect the UDAG grant for construction of the convention facility as an integral part of the hotel. As the Chief Administrative Officer of the City, I selected Option III as being in the City's overall best interests. I believe that Option III will provide the City with a financing package that will stand a much better chance of success in this year's lending market, and will provide the City with a positive step forward in the Downtown Development program, and will provide financial benefits that will strengthen the City's financial plan in these severe economic times.

The most recent Barton Malow Company, a construction managing firm employed by the City, estimate of construction costs for the Exhibition Hall is dated January 27, 1981, and totals $9,159,770. Additionally, $476,000 is required for the architect and engineering contract; $500,000 has been reserved for furnishings and fixtures and $164,230 balance is an owner's contingency fund for a total of $10,300,000. The construction estimate assumes that construction bids would be taken and awarded by June of 1981. Any delays in awarding bids beyond June would add an estimated ¾ of 1% or $77,000 per month to the total costs. The construction manager has provided a number of allowances or options which can be used to **reduce the cost of the project in order to off-set inflationary increases.** I have not at this point attempted to assess the feasibility or cost effectiveness of these allowances for the project, but it is evident City General Funds will be necessary.

The use of the Urban Development Action Grant funds for the hotel-convention facility provides benefits which will strengthen the City's financial plan for the General Fund, by releasing currently appropriated funds of the City for the project. **Approximately 2 million dollars, of badly needed funds, would come back into the City's General Fund.** Future operating years would benefit from the annual repayment by the project of the Urban Development Action Grant, as well as, the elimination of potential operating subsidies for the Exhibition Hall. **I estimate this would benefit the City to the extent of a million dollars, or more, per year. This information is provided in a communication from the Finance Director and the Budget Director dated January 15, 1981, which is attached.**

In summary, a key consideration in determining the feasibility of the project plan is to determine whether the 100 Block Hotel project has a significantly better chance with the Urban Development Action Grant funds as proposed in Option III, or whether the City should wait until an indeterminate time in the future when the project **with a separate Exhibition Hall might again become economically feasible.** Other important considerations are whether the Urban Development Action Grant funds can be preserved for the Exhibition Hall concept through a long waiting period. And, finally, it should not be overlooked that the revised plan will strengthen the City's financial condition as opposed to continuing with a total project which, if anything, will require **substantial additional funds** by the City both for construction and operating purposes. In short, it just makes sense for the City of Lansing to a) not have to pay out funds from the strapped General Fund; b) to, instead, be the recipient of dollars, which will greatly assist us to meet other needs; and, c) to present the best possible chance for a major hotel chain to construct what will become an economic stabilizing force in the Central Business District.

On Friday, February 6, 1981, **The Lansing State Journal** carried an article of some proportion, headlined **FEAR CHANGES MAY SCUTTLE FUNDS FOR LANSING CONVENTION COMPLEX.** I have since talked to the "source," as inferred by Mrs. Vivian Preston, City Grants Coordinator, and the spokesperson for the article —contrary to the article, the "source," one Marya Sieminski of the Office of U. S. Senator Donald Riegle, stated a different view than that presented by Mrs. Preston. **In fact, she said that an amendment to the Grant is feasible and allowable, the very thing that the U. S. Department of Housing and Urban Development has advised.**

On Monday morning, date of February 9, 1981, Mrs. Preston advised me, and others,

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that she only expressed her **personal opinion.**

Therefore, I recommend that you personally contact:

Marya Sieminski
Office of Senator Donald Riegle, Jr.
1850 McNamara Building
(Phone: 313 226-3188)

and

David Sallow
Urban Development Action Grants
U. S. Department of Housing and Urban Development
Room 7236, 451 Seventh Street, S.W.
Washington, D. C. 20410
(Phone: 202 755-6186)

Sincerely,

GERALD W. GRAVES,
Mayor.

Referred to Committee of the Whole.

## RESOLUTIONS

By COMMITTEE OF THE WHOLE—

Resolved by the City Council of the City of Lansing:

Whereas, the Lansing Eastern Alumni Association has been in continual existence since its inception in 1940; and

Whereas, in the past forty-one years it has served both student and alumni of Eastern High School by promoting scholarship, athletics, and school spirit; and

Whereas, this support, financial or in kind, has had as its sole objective the elevation and celebration of Eastern High School as a cornerstone of education and citizenship in the Lansing community;

Now, Therefore, Be It Resolved, that the Mayor and City Council recognize the Lansing Eastern Alumni Association to be a non-profit organization of the community whose goals are to complement the efforts of Lansing Eastern's Administration to continue its reputation for excellence as an educational institution in the City of Lansing, Michigan.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PUBLIC PROPERTIES AND SAFETY—

Resolved by the City Council of the City of Lansing:

Whereas, Joe Popevich, a member of the Human Resources Advisory Board, has moved his residence from the Third Ward to the Second Ward; and

Whereas, the Mayor has appointed Mr. Popevich to the vacant Second Ward position on this board;

Now, Therefore, Be It Resolved, the Lansing City Council hereby approves the appointment of Joe Popevich to the vacant Second Ward position on the Human Resources Advisory Board, the term of which expires on June 30, 1982.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PUBLIC PROPERTIES AND SAFETY—

Resolved by the City Council of the City of Lansing:

Whereas, a vacancy exists on the Civic Center Board; and

Whereas, the Mayor has submitted the name of Janice J. Salmon for consideration and confirmation by the Council to fill the vacancy;

Now, Therefore, Be It Resolved, the City Council of the City of Lansing hereby confirms the appointment of Janice J. Salmon to serve on the Civic Center Board for a term to expire in June of 1984.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PUBLIC PROPERTIES AND SAFETY—

Resolved by the City Council of the City of Lansing:

Whereas, a vacancy exists on the Parks Board; and

Whereas, the Mayor has submitted the name of Barbara Ann Lange for consideration and confirmation by the Council to fill said vacancy;

Now, Therefore, Be It Resolved, the City Council of the City of Lansing hereby confirms the appointment of Barbara Lange to serve on the Parks Board for a term to expire in June of 1982.

Adopted by the following vote:

Unanimously.

By COMMITTEE OF THE WHOLE—

Resolved by the City Council of the City of Lansing:

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Whereas, the Downtown Development Authority was established in 1976, and

Whereas, there are several current projects contemplated for the downtown area, and

Whereas, the DDA can provide valuable positive input for these projects, and

Whereas, the Committee of the Whole has interviewed three of the Mayor's new appointments to the authority,

Now, Therefore, Be It Resolved, the City Council of the City of Lansing hereby approves and confirms the appointments of Mr. George Nugent and Mr. David B. Sharp to the Downtown Development Authority for terms to expire in February of 1984 and the appointment of Mr. Gordon D. Masters for a term to expire in February 1985.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON GENERAL SERVICES—

Resolved by the City Council of the City of Lansing:

That the Capitol City Chordsmen's request for a 24 hour liquor permit for the 21st of February, 1981, at the National Guard Armory, 2500 South Washington Avenue, is hereby approved provided the special 24 hour license is obtained from the Liquor Control Commission.

Adopted by the following vote:

Unanimously.

By ECONOMIC DEVELOPMENT COMMITTEE—

Resolved by the City Council of the City of Lansing:

Whereas, it is necessary to hold a public hearing on the proposed establishment of a Lansing Plant Rehabilitation District IPR-3-81, Motor Wheel Corporation, 1600 North Larch Street and environs, more particularly described as:

DISTRICT DESCRIPTION

The District is described commencing at the Northeast corner of Lot 1 of Dr. L. Anna Ballard's Subdivision, Northeasterly along West line of Penn Central R.R. right of way 449.86 feet (being the Northeast corner of Lot 4 of the proposed Allen Subdivision), West to the Southeast corner of Lot 1 of Spencer's Subdivision, South 120 feet, West 116 feet to the East line of East Street, South along East line of East Street 275 feet to the North line of David Street, East 115 feet, South to Northeast corner of Lot 93 of Dr. L. Anna Ballard's Subdivision, South to Southeast corner of Lot 85 of said subdivision, West to Southwest corner of said Lot 85, West across East Street to Southeast corner of Lot 32 Assessor's Plat No. 6, North along East Street to Northeast corner of Lot 34 of said Assessor's Plat No. 6, West to Northwest corner of Lot 27 of said assessor's Plat No. 6, South to Northwest corner of Lots 14 Lyman's Addition, West 66 feet, South along Larch Street to C & O R.R. right of way, Southeasterly along said railroad right of way to the intersection of Penn Central and C & O R.R., East to Southeast corner of Lot 12, Block 7, Handy Home Addition, North along Case Street to most northerly point of Lot 14, Block 9, of said Handy Home Addition, West to Southeast corner of Lot 7, Block 5, Case Addition, Northeasterly along West line of Penn Central R.R. right of way to point of beginning, being a part of Northwest ¼ of Section 10 and Northeast ¼ of Section 9, T4N, R2W, City of Lansing.

Now, Therefore, Be It Resolved that the City Clerk give at least ten (10) days notice of a public hearing when all persons interested may attend and make any objections they may have to such proposed district; and

Be It Further Resolved that such hearings be held at the Council Chambers in the City Hall on the 2nd day of March, 1981, at 7:00 p.m.; and that notice of such hearing be published in a publication of general circulation in said city.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON GENERAL SERVICES—

Resolved by the City Council of the City of Lansing:

Whereas, the Lansing Director of the Department of Building Safety and Development determined that the building located at 139 Isbell Street.

Legally described as: S 75 feet of Lot 11 Orchard Home Addition
Assessor's I.D. No. 3301-21-453-052-1

was an unsafe or dangerous building as defined in Section 9A-13 of the Lansing Uniform Housing Code and the Housing Law of Michigan; and

Whereas, a hearing was held by the Hearing Board on November 13, 1980, at which the Hearing Officers determined that said building was an unsafe or dangerous building and ordered the building demolished or otherwise made safe; and

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Whereas, said Hearing Officers filed a report of their findings and order with the Lansing City Council, and have requested the City Council to take appropriate action under the Housing Code and the Housing Law of Michigan; and

Whereas, the City Council scheduled a hearing on January 26, 1981, to review the findings and order of the Hearing Officers, and the owners were notified in writing of said hearing and had an opportunity to appear and show cause why said building should not be demolished or otherwise made safe;

Now, Therefore, Be It Resolved that the City Council of the City of Lansing hereby approves the order of the Hearing Officers requiring the demolition or making safe of said building; and

Be It Further Resolved that the owners are hereby directed to comply with the order of the Hearing Officers to demolish or otherwise make safe the said building; and

Be It Further Resolved that, should the owner fail to substantially comply with the Hearing Officer's order for demolition or otherwise make safe, the Director of the Department of Building Safety & Development is hereby directed to proceed with demolition of said building; and

Be It Further Resolved that cost of such demolition shall be a lien against the real property and shall be reported to the City Assessor who shall assess the same against the property upon which the building is is presently located; and

Be It Further Resolved that the owner in whose name the property appears upon the last local tax assessment record shall be notified of the amount of such cost by first class mail at the address shown on the records. Upon his failure to pay the same within thirty (30) days after mailing by the City Assessor of the notice of the amount thereof, the Assessor shall add the same to the next tax roll of the City of Lansing and the same shall be collected in the same manner in all respects as provided by law for the collection of taxes in the City of Lansing.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PHYSICAL DEVELOPMENT—

Resolved by the City Council of the City of Lansing:

Whereas, the City of Lansing has purchased the property located at 1017 East Grand River in accordance with the NDA No. 3 Development Plan, which requires that this property be sold for use as a single family residence, and

Whereas, inspections by City Building Inspectors have determined that the cost of rehabilitation of the subject property would be approximately $30,000, and

Whereas, the addition of the estimated rehab cost to a market sales price of the property would make the total investment in the subject property greatly exceed the neighborhood's market value of properties and thus make purchase, rehabilitation and occupancy as a single family residence infeasible, and

Whereas, after research by City staff, the City administration, and the NDA No. 3 Citizen's District Council are recommending that the subject property be sold and rehabilitated by means of a "Homesteading" program.

Now, Therefore, Be It Resolved that the City of Lansing shall sell the subject property for one dollar ($1.00) with the requirement that the purchaser shall agree, as a condition of purchase, to complete the rehabilitation of the property in accordance with City codes and rehab specifications prepared by the City Building Safety and Development Department; and

Be It Resolved that the purchaser shall also agree to reside in the subject property for a minimum of three years immediately following the completion of rehabilitation as determined by the issuance of an occupancy permit by the City of Lansing; and

Be It Resolved that the purchaser shall obtain the approval of the City of Lansing prior to resale, refinancing or any form of disposition or indebtedness regarding the subject property for the five years following the purchase of the subject property from the City; and

Be It Resolved that final transfer of title to the subject property shall be subject to completion of rehabilitation as determined by issuance of an occupancy permit by the City of Lansing; and

Be It Resolved that the City of Lansing shall advertise the availability and terms of purchase of the subject property and shall make available for inspection the subject property and the proposed rehabilitation specifications required for sale; and

Be It Resolved that after a reasonable period of advertising, the City will accept by a date certain applications to purchase and rehabilitate the subject property from U. S. Citizens of the minimum legal age required to enter into a contract as stipulated by the laws of the State of Michigan. The applications must include the applicant's place of employment and annual income. If more than ten (10) applications are received, a drawing will be held to reduce the number of finalists to ten (10). These ten (10) finalists will be required to pay a non-refundable deposit of Twenty ($20.00) Dollars to cover the costs of a credit report and other processing require-

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ments. Upon determination by the City's Rehabilitation Loan and Grant Action Committee that each finalist is capable of undertaking the rehabilitation of the subject property, a drawing will be held of the qualified finalists to select a purchaser and a first and second alternate purchaser. Should the selected purchaser withdraw or default from the agreement, the property shall be offered to the first alternate and then the second alternate; and

Be It Resolved that the City administration will work with the selected purchaser to arrange a financing package for the rehabilitation and will negotiate the terms and conditions of sale. Upon approval of a financial package, the finalized sales agreement will be presented to Lansing City Council for a public hearing and approval of the sale of the subject property; and

Be It Resolved that any City employee, or immediate relative of any City employee whose work is directly involved in the disposition of the subject property, shall be excluded from consideration for purchase of the subject property.

Adopted by the following vote:

Yeas: Councilmen Adado, Belen, Blair, Gunther, Lindemann, McKane, Worthington—7.

Nays: Councilman Brenke—1.

By COMMITTEE ON PUBLIC PROPERTIES AND SAFETY—

Resolved by the City Council of the City of Lansing:

Whereas, the City Council approved the purchase of the Foster Street Elementary School from the Lanisng School District to convert the building into an eastside community center; and

Whereas, a citizen advisory committee has worked with the Administration to develop recommendations for building renovations and recreation programs to make best use of the facility; and

Whereas, the Administration has incorporated costs of the first phase recommendations into the application for 7th year Community Development Block Grant funding so that renovations may begin in FY 81-82;

Now, Therefore, Be It Resolved, the Lansing City Council hereby authorizes the designation "City of Lansing Eastside Community Center" for the Foster Street school building; and

Be It Further Resolved, the Phase One recommendations of the Foster Street School Citizens Advisory Committee are hereby approved and referred to the Mayor for implementation using Community Development Block Grant, Parks and Recreation Department, and Property Management Division funds already allocated, with Phase Two specifics to be developed as suggested by the committee; and

Be It Finally Resolved, the City Council hereby offers appreciation and commendation to all members of the citizens committee for their time and efforts in service to their community.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PHYSICAL DEVELOPMENT—

Resolved by the City Council of the City of Lansing:

Whereas, a public hearing has been conducted to receive citizen recommendations and to review needs for the 7th Program Year Community Development Block Grant Application on September 23rd, 1980; and

Whereas, the City of Lansing Planning Board on December 16th, 1980, held a hearing on CDBG projects and budgets and submitted its recommendations to the Mayor to meet the stated needs; and

Whereas, the Mayor on December 30th, 1980, recommended selected program priorities and proposed budgetary allocations for the 7th program year; and

Whereas, the proposed programs and budgets for the 7th year program have been on file in the City Clerk's office since December 30, 1980; and

Whereas, a public hearing was held by the Lansing City Council on January 26, 1981, to receive citizen comments and recommendations and to review the 7th year Community Development Block Grant Application projects, programs and budgets; and

Whereas, the 1981 entitlement amount allocated by HUD to the City of Lansing has been reduced from $2,151,000 to $2,075,000;

Whereas, the amount of $71,831.94, Community Development Program Income, will be added to the Total Block Grant Resources for Program Costs;

Now, Therefore, Be It Resolved that the City Council adopt the programs, projects, budgets and Housing Assistance Plan contained in the 7th Program Year Application with the following changes:

1. That the amounts of $29,038 for Building Rentals and $63,922 for Indirect Costs be removed from Administrative Cost and added to Project Cost in the following allocation;

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2. That the amount of $72,960 be added to the cost of public improvements for the Diamond Reo Project and $20,000 to be reserved in contingency for the construction of Woodman Pathway in Neighborhood Development Area No. 2;

Now, Be It Further Resolved that the City Council directs the Mayor to sign the appropriate documents after satisfactory review for submission to the proper A-95 review agencies and to the Detroit Area Office of the United States Department of Housing and Urban Development.

By COUNCILMAN WORTHINGTON—

That the resolution be amended as follows:

That in the 8th paragraph No. 1 be changed to read as follows:

1. That the amount of $29,038, for building rentals be removed from Administrative Cost, that indirect costs of $63,922 be waived for the 7th program year grant, and that both be added to project cost in the following allocation.

Carried.

The resolution as amended was adopted by the following vote:

Unanimously.

By COMMITTEE OF THE WHOLE—

Whereas, on February 2, 1981, the City of Lansing:

Resolved by the City Council of the City Council approved a committee report and a transfer of funds that authorized the purchase of the Opper Property in the 1300-1400 blocks of North Turner Street for legitimate City purposes; and

Whereas, on February 9, 1981, the Mayor placed a veto over each of these Council actions because the purchase would use City general funds rather than grant funds, as was originally planned;

Now, Therefore, Be It Resolved, the Lansing City Council hereby votes to override the Mayor's vetoes on the purchase of the Opper property, and directs that administrative actions attendant to the purchase shall proceed forthwith.

Adopted by the following vote:

Unanimously.

By COUNCILMAN WORTHINGTON—

Whereas, by petition duly filed on the 29th day of September, 1980, this Council was petitioned to change the following described property from "A" One Family Residential District to "DM" Multiple Dwelling District, all as set forth in the Zoning Code of this city, and

Whereas, due notice as required by law has been given for a public hearing on said petition, and

Whereas, at such hearing held on the 26th day of January, 1981, all parties interested therein were heard and given due consideration, and

Whereas, the property involved is described as:

Z-34-80—West end of Dell Road
3305-10-401-002,

More particularly described as:

Commencing at the north ⅛ post; southeast ¼ of Section 10; thence north 30 feet, west 120 feet, plus or minus, to the easterly line of Ramp B of I-96, south 42° 02′ 54″ west 41 feet, plus or minus, to the east/west ¼ line, south 33° 38′ 40″ west 55.26 feet, south 41° 30′ 16″ west 100 feet, south 57° 13′ 13″ west 100 feet, south 72° 56′ 10″ west 100 feet, south 88° 39′ 07″ west 100 feet, north 75° 37′ 56″ west 100 feet, north 59° 55′ west 100 feet, north 44° 12′ 03″ west 100 feet, north 28° 50′ 53″ west 95.38 feet; north 21° 21′ 12″ west 155.72 feet, south 68° 38′ 48″ west 158 feet, plus or minus, to the north/south ¼ line, south 360 feet, plus or minus, to the south line of the north 20 acres of the west ½ of the southeast ¼, east 1314.5 feet to the east ⅛ line, north 660 feet, plus or minus, to beginning; Section 10, T3N, R2W;

from "A" One Family Residential District to "D-M:1" Multiple Dwelling District.

Whereas, pursuant to Act 207, Public Acts of 1921, the Planning Board advised the City Council to approve this request subject to conditions; and

Whereas, the Physical Development Committee of City Council, to whom was referred the report of the Planning Board, does not concur therewith, and recommends deniel;

Now, Therefore, Be It Resolved that the Council of the City of Lansing ordains that the petition to rezone the above described property from "A" One Family Residential District to "D-M:1" Multiple Dwelling District be denied.

Adopted by the following vote:

Unanimously.

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By COUNCILMEN BRENKE-ADADO—

Resolved by the City Council of the City of Lansing:

That the rules of the Council be waived for the purpose of presenting items that are not listed on the agenda.

The following vote was taken on the suspension of rules for a special 24-hour liquor permit.

Adopted by the following vote:

Unanimously.

The following vote was taken on the suspension of rules for a resolution on the "100" block and exhibition facility development:

Adopted by the following vote:

Yeas: Councilmen Adado, Belen, Brenke, Gunther, Lindemann, McKane, Worthington—7.

Nays: Councilman Blair—1.

By COMMITTEE ON GENERAL SERVICES—

Resolved by the City Council of the City of Lansing:

That the request of Carl Clark for a 24-hour liquor permit on Friday, February 27, 1981, at the National Guard Armory, is hereby approved provided the special 24-hour liquor permit is obtained from the Michigan Liquor Control Commission.

Adopted by the following vote:

Unanimously.

## REMARKS BY THE MAYOR'S EXECUTIVE ASSISTANT

No comment.

By COUNCILMAN BLAIR—

That the Council recess for a period of 10 minutes.

Carried.

Council recessed at 10:20 p.m. and reconvened at 10:35 p.m.

## REMARKS BY THE CITY COUNCIL

By COMMITTEE OF THE WHOLE—

Resolved by the City Council of the City of Lansing:

Whereas, the Special Advisory Committee created on January 19th, 1981, to review and evaluate the plans for the 100 Block and Exhibition Facility development reported to the Committee of the Whole on February 12th, 1981; and

Whereas, the report included four recommendations which are as follows:

A. That plans be developed for construction of an Exhibition Hall on the site east of the Grand River. Construction should begin in a time frame that will ensure its operation within three months of anticipated completion of the 100 block development. The financing plan for the Exhibition Hall should be determined in conjunction with the plan for financing the 100 block development.

B. That a project plan, which incorporates practical financing alternatives, be developed and offered to Stokmark (the current development team) for their consideration, no later than March 13, 1981.

C. That Stokmark be given until April 10 (or four weeks from the date the project plan is presented by the City) whichever is earlier, to commit to the project plan. If they fail to negotiate an agreement within this time frame, contact may be made with other developer prospects.

D. That private sector involvement is essential to the success of the project. If the Council wishes, we would be happy to continue functioning as a special committee to assist the City develop and negotiate a final package, and to undertake this work in conjunction with whomever the Council may choose to designate.

Now, Therefore, Be It Resolved, the City Council of the City of Lansing hereby supports and affirms the recommendations of the Special Committee, inclusive of all designated deadlines; and

Be It Further Resolved, the City Council officially accepts the offer of the Committee to continue functioning in an effort to assist the City in the negotiating of a final package; and

Be It Finally Resolved, the President of the City Council hereby appoints Mr. Emerson Ohl, Executive Director of the Economic Development Corporation, Mrs. Vivian Preston, Grants Coordinator, and Mr. Alan Tubbs, Director of Planning, as additional members of the Special Advisory Committee for the 100 Block and Exhibition Facility development.

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By COUNCILMAN ADADO—

That the resolution be amended as follows:

That the last paragraph be deleted in its entirety and the following paragraph be added:

Be It Finally Resolved, that the City Council hereby reestablishes and expands to 8 members a Special Advisory Committee for the purpose of reviewing and evaluating the "100" Block and Exhibition Facility Plans, and reporting back to the Council on a bi-weekly basis.

Carried.

The resolution as amended was adopted by the following vote:

Unanimously.

Councilman Worthington spoke relative to allocation of money for Inter-Motal Transportation Terminal.

Notes of appreciation to be sent to Senator Sederburg, Representatives Hollister and Stabenow.

Orrin E. Sharp, 1646 Wellington Road, spoke and presented a letter relative to "City of Lansing Tax Rate and Historical Promises" and portion of it is herein printed.

Therefore, considering this and other matters I have previously brought to your attention, I recommend that—

1. The City Council request the city's chief administrator to review all current general ordinances to make certain that they are being complied with.

2. Those ordinances that are not being complied with, or found to be inappropriate, or inadequate, be brought to the attention of the City Council.

3. The intent of the law specified in Section 29-11 of the General Code of Ordinances of the City be complied with.

4. As previously recommended on February 8, 1981, that the budget planning for Fiscal Year 1981-1982 be restricted to anticipated revenues at the Fiscal Year 1979-1980 property tax rate level of 10.70 mils, including debt services, per $1,000 of State equalized value. Further, that all projects/activities that are considered non-essential be eliminated or reduced, on a prioritized basis, down to the level where anticipated revenues, at the reduced property tax rate aforementioned, will cover forecasted expenditures; and,

5. That you not wait for the State government to reduce the State equalized value, which may never happen. You have the power to reduce the property tax rate now, you will retain the power to increase the rate if it becomes necessary and IF the State, in fact, does reduce the equalization value. Assume the initiative, set the example, that's what progressive government is all about.

Your consideration of these matters will be appreciated.

Sincerely,

ORRIN E. SHARP.

By COUNCILMAN BLAIR—

That this meeting stand adjourned.

Carried.

Council adjourned at 11:00 p.m.

THEO FULTON,
City Clerk.

Lansing, Michigan

February 16, 1981

F/B

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CITY CLERK'S OFFICE
Room 921, City Hall
Lansing, Michigan 48933

Address Correction Requested

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Lansing, Michigan



# OFFICIAL PROCEEDINGS OF
# THE CITY COUNCIL
## OF THE CITY OF LANSING

## Proceedings, February 23, 1981

CITY COUNCIL ROOMS

Lansing, Michigan

February 23, 1981

The city Council of the City of Lansing, Michigan, met in regular session and was called to order by President Lucile Belen.

Present: Councilmen Adado, Belen, Blair, Brenke, Gunther, Lindemann, McKane, Worthington—8.

Absent: None.

The Clerk announced that a quorum of the Council was present.

Invocation was given by Councilman McKane.

Pledge of Allegiance was led by Councilman McKane.

Mayor Graves and Council President Belen presented Crime Prevention Awards to 21 persons from the Lansing Police Department. This is in connection with the block watch program.

The Mayor presented a proclamation to the Masonic Club of the Caravan Club in connection with the circus to be held at the Lansing Civic Center.

**THE PUBLIC MAY NOW ADDRESS THE CITY COUNCIL ON ANY OF THE FOLLOWING ITEMS LISTED ON THE AGENDA: COMMUNICATIONS AND PETITIONS, COMMITTEE REPORTS, REPORTS OF CITY OFFICERS AND BOARDS AND RESOLUTIONS. YOU MAY SPEAK ONLY FOR 3 MINUTES ON ANY ONE ITEM.**

Resolution 6-b was removed from agenda.

Larry Parker, 1416 New York, President Citizens District Council No. 3, spoke relative to Motor Wheel.

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## COMMUNICATIONS AND PETITIONS

The following applications and bonds have been filed for licenses:

PUBLIC DRIVER—
Ralph E. Collar.

CARNIVAL LICENSE—
Crown Amusement.

Referred to Committee on General Services.

The following claims have been filed:

Barbara A. Williams for items which were confiscated by the Lansing Police Department during arrest and not returned.

Referred to Mayor, City Attorney, Police Department.

Mari M. Roberts for damage to her automobile tires due to pot holes.

Referred to Mayor, City Attorney.

Petitions filed for rezoning:

Z-4-81—

The East 90 ft. of West 190 ft. of Lot No. 50, Goodhome Subdivision, and the West 90 ft. of the East 217 ft. of Lot 50 of Goodhome Subdivision, City of Lansing, Michigan, Ingham County from "A" One Family Residential District to "C" Two Family Residential District—(Vacant property in the 1900 block of Willard Street (south side).

Z-5-81—

Lot 27, except the north 112 feet, Half-Acre Land Company's Subdivision, City of Lansing, Ingham County, Michigan, from "A" One Family Residential District to "B" One Family Residential District—(228 West Hodge Street).

Referred to Mayor, Planning Board.

Requests filed for Special 24-hour liquor permits for:

Ernest Meyers for Department of Michigan, Veterans of Foreign Wars for a fund raising affair—March 27, 1981—National Guard Armory.

Consumers Power Credit Union—April 11, 1981—National Guard Armory.

Referred to Committee on General Services.

Request from The American Cancer Society for permission to solicit door-to-door from April 29 thmrough May 5, 1981.

Referred to Committee on General Services.

Request from H. James Starr for the vacation of Washtenaw St. east of Grand Avenue.

Referred to Mayor, Committee on Public Property and Safety.

Letter from Joan Stiber—Producer of the Windlord Documentary submitting notice of when the documentary would be shown on television (dates and time).

Received and placed on file.

Michigan Municipal League submits advance registration list and flyer announcing the 1981 Region 11 meeting to be held at the Elk's Lodge in the Hillsdale on March 12, 1981.

Referred to Mayor, All Council Members, Department Heads.

## MAYOR'S EXECUTIVE ASSISTANT COMMENTS ON ANY ITEM ON THE AGENDA

No comment.

## REPORTS OF COMMITTEES

The COMMITTEE ON GENERAL SERVICES approves the following applications and bonds for licenses:

PUBLIC LRIVER—
Ralph E. Collar.

CARNIVAL LICENSE—
Crown Amusement.

Signed:

WILLIAM A. BRENKE,
PAT LINDEMANN,
TERRY J. McKANE,
Committee on General Services.

By COUNCILMAN BRENKE—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

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The COMMITTEE ON PUBLIC PROPERTIES AND SAFETY, to whom was referred the request for prohibition of on-street parking in the vicinity of City Parking Lot No. 24 between Clemens Street and Fairview Avenue, reports as follows:

The Committee cannot support the rationale for restricting on-street parking in this heavily commercial area. The existing parking spaces on Clemens and Fairview next to the City parking lot cause no serious traffic flow or sight obstruction problems. Eliminating these spaces would move street parking in front of residences south of the lot. For these reasons, the request to prohibit on-street parking near Parking Lot No. 24 is denied.

Signed:

PAT LINDEMANN,
SIDNEY P. WORTHINGTON,
JAMES D. BLAIR,
Committee on Public Property and Safety.

By COUNCILMAN LINDEMANN—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

The COMMITTEE ON WAYS AND MEANS, to whom was referred the letter from the City Controller requesting release of financial security, Moores Park Subdivision, reports as follows:

The $150.00 in financial security may be released pursuant to Setcion 37-25 (1) of Chapter 37 of the Code of Ordinances of the City of Lansing, Michigan. The City will retain $2,425.00 in financial security to cover public improvements not yet completed.

Signed:

TERRY J. McKANE,
WILLIAM A. BRENKE,
JACK D. GUNTHER,
Committee on Ways and Means.

By COUNCILMAN McKANE—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

The COMMITTEE ON WAYS AND MEANS, to whom was referred the matter of continued staffing in the Probation Department/District Court Department, reports as follows:

It is the recommendation of the committee that two Deputy Clerk I positions be established. The Committee on Ways and Means approves an appropriate transfer. One position will be utilized for Probation and one for District Court for processing of civil infractions. (See transfer from Committee on Ways and Means.)

Signed:

TERRY J. McKANE,
WILLIAM A. BRENKE,
JACK D. GUNTHER,
Committee on Ways and Means.

By COUNCILMAN McKANE—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

## REPORTS OF CITY OFFICERS AND BOARDS

February 12, 1981

President Lucile Belen and
Members of City Council

Re: Claim of Dorothy Johnson in the amount of $92.49

Dear President Belen and Members of City Council:

The above referenced claim was submitted to this office for investigation, review and recommendation. The claimant alleges that in July of 1980 while attempting to park her vehicle, a piece of curb came loose at 2305 Harding and damaged a tire on her vehicle.

Information received from the Public Service Department disclosed that no reports or calls regarding the alleged defect were received by them prior to claimant's injury. Consequently, the City had no notice of the existence of the defect. Subsequent investigation of the site by Public Service revealed that a small piece of concrete had chipped out of the face of the curb, however, it was the department's observation that it would be difficult to attribute tire damage of the nature claimant alleges to the condition of the curb.

MCLA 691.1403; MSA 3.996 (103) provides:

"No governmental agency is liable for injuries or damages caused by defective highways unless the governmental agency knew, or in the exercise of reasonable diligence should have known, of the existence of the defect and had a reasonable time to repair the defect."

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Based upon the aforementioned statute, this office concludes that the City had no notice of the defective curb at this location prior to the date the alleged damage occurred. Therefore, it is the recommendation of this office that the claim be denied on the basis of governmental immunity.

Respectfully submitted,

STEPHEN R. SAWYER,
City Attorney.

By COUNCILMAN ADADO—

That we concur in the recommendation of the City Attorney and said claim be denied.

Carried.

February 13, 1981

President Lucile Belen and
Members of City Council

Re: Claim of Gary A. Young in the amount of $46.51

Dear President Belen and Members of City Council:

The claimant on November 18, 1980, at approximately 7:05 p.m. while driving southbound on South Washington Avenue near the intersection of Willoughby Road, struck a large chuckhole and the impact damaged the front right wheel and front alignment of his car. Claimant submitted an estimate for the cost of the repairs for a wheel and front end alignment in the amount of $46.51.

Upon inquiry, the Public Service Department informed this office that although claimant did not report the incident until November 24, 1980 at 11:45 a.m., it appears that the chuckhole was filled on November 19, 1980 by the City's roving repair crew. The department has no record of any prior calls regarding chuckholes on S. Washington near the intersection of Willoughby Road.

MCLA 691.1402; MSA 3.996 (102) provides in part:

> "Each governmental agency having jurisdiction over any highway shall maintain the highways in reasonable repair so that it is reasonably safe and convenient for public travel. Any person sustaining bodily injury or damage to his property by reason of failure of any governmental agency to keep any highway under its jurisdiction in reasonable repair and in a condition reasonably safe and fit for travel, may recover the damages suffered from such governmental agency."

However, a municipality is not liable for damages caused by defective roadway unless that municipality knew or should have known of the defect in the roadways and had a reasonable time to repair it before the injury took place. MCLA 691.1403; MSA 3.996 (103).

Based upon the aforementioned statute, this office concludes that the City had no notice of the chuckhole at this location prior to November 24, 1980. Therefore, it is the recommendation of this office that the claim be denied on the basis of governmental immunity.

Respectfully submitted,

STEPHEN R. SAWYER,
City Attorney.

By COUNCILMAN ADADO—

That we concur in the recommendation of the City Attorney and said claim be denied.

Adopted by the following vote:

Yeas: Councilmen Adado, Belen, Brenke, Gunther, Lindemann, McKane, Worthington—7.

Nays: Councilman Blair—1.

February 19, 1981

President Lucile Belen and

Members of City Council

Re: Claim of Robert Carowitz in the amount of $87.00

Dear President Belen and Members of City Council:

Claimant alleges that he sustained damages to his sidewalk leading to the front porch of his house at 724 N. Walnut when the City Forestry Department felled a tree on the right of way at 720 North Walnut.

The Forestry Department indicates that it was necessary for the tree trunk to fall across the front lawn and sidewalk of claimant as the direction of the weight of the tree determines the safest manner and direction for the tree to fall. Removing the tree in November is in keeping with the Department's policy of winter tree removal so as to minimize potential damage to lawns and sidewalks by working when the ground is likely to be frozen.

The facts alleged by claimant relate solely to facts arising from the care and treatment of public trees within the City. The care and treatment of public trees within the City is an "exercise and discharge of a governmental function" within the meaning of the statute providing for (MCLA 691.1407; MSA 3.996 (107). Additionally, there does not appear to be a basis for liability here insofar as no damage appears to have resulted in the process of removal of the tree. The Forestry De-

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partment indicates that an inspection of the site immediately following removal of the tree did not reveal any damage to the sidewalk in question and further, an inspection of the site in response to the complaint at hand revealed no damage, but rather, a weather beaten sidewalk in which there existed no recent breaks or cracks.

Based upon the foregoing, there appears to be no basis for liability by the City. However, claimant alleges that an agent of the Forestry Department directed him to secure repair to the sidewalk and submit the bill to City Council for reimbursement. While this is not the standard procedure for such claims and is denied by the City employees involved, if the claimant in fact relied upon such a representation in securing repair, this office would recommend this claim be paid in the amount of $77.90 (the $10.00 additional claimed for processing costs should be denied). Otherwise, the claim should be denied.

Respectfully submitted,

STEPHEN R. SAWYER,
City Attorney.

By COUNCILMAN ADADO—

That we concur in the recommendation o fthe City Attorney and said claim be allowed in the amount of $77.90 and the City Clerk be and she is hereby directed to draw a warrant on the City Treasurer payable to Robert Carowitz.

Carried.

February 19, 1981

President Lucile Belen and
Members of City Council

Re: Claim of Keith G. Smith in the amount of $78.91

Dear President Belen and Members of City Council:

Claimant alleges that on December 6, 1980 while traveling southbound in the left lane of South Cedar just north of Edgewood Boulevard at approximately 8:40 p.m. his vehicle struck a piece of pavement approximately eight (8) inches in diameter that was protruding in the street. He tried to avoid hitting the object but his right rear wheel ran over it and damaged both the tire and rim. He submitted two estimates, one written and one oral via the telephone, of the costs to replace the tire and rim and the lowest estimate is $78.91.

Upon inquiry the Public Service Department informed this office that it had no record of claimant striking an object in South Cedar Street, but attached a copy of an accident report from the Lansing Police Department which revealed that claimant had struck a piece of blacktop lying in the roadway on December 6, 1980 at 8:35 p.m. at the above stated location. The City had no prior notice of the problem.

MCLA 691.1402; MSA 3.996 (102) provides in part:

"Each governmental agency having jurisdiction over any highway shall maintain the highway in reasonable repair so that it is reasonably safe and convenient for public travel. Any person sustaining bodily injury or damage to his property by reason of failure of any governmental agency to keep any highway under its jurisdiction in reasonable repair, and in condition reasonably safe and fit for travel, may recover the damages suffered by him from such governmental agency."

A stone lying temporarily between the traveled portion of the highway and the gutter for three or four days was held not to be a defect in the highway that would render the highway unsafe or unfit for travel. **Agnew v Corunna,** 55 Mich 428; 21 NW 873 (1885); **McCool v City of Grand Rapids,** 58 Mich 41; 24 NW 631 (1885). In the case of **Joslyn v City of Detroit,** 74 Mich 458; 42 NW 50 (1889), a pile of sand in the street that had been placed there by third persons for more than a month and used for building purposes was held to be an obligation on the part of the municipality to remove obstructions within a reasonable time after it had knowledge or notice of its existence.

Based upon the aforementioned statute and case law, his office concludes that an 8-in. diameter piece of pavement lying temporarily in the street is not a defect that would render the street unsafe and unfit for travel and in any event, the City had no knowledge or notice of its existence nor a reasonable opportunity to remove the same before the alleged incident occurred. Therefore, it is the recommendation of this office that this claim be denied.

Respectfully submitted,

STEPHEN R. SAWYER,
City Attorney.

By COUNCILMAN ADADO—

That we concur in the recommendation of the City Attorney and said claim be denied.

Carried.

February 18, 1981

President Lucile Belen and
Members of City Council

Re: Claim of Dawn Barnum in the amount of $93.73

Dear President Belen and Members of City Council:

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On October 13, 1980 claimant sustained damage to the windshield of the 1976 Chevrolet van which she was driving on Pennsylvania Avenue. Claimant alleges that the damage occurred as a result of rocks and debris flying out of the rear end of a City of Lansing dump truck, No. 111, which had its rear flap unfastened. Claimant had the damage appraised at two different automobile glass businesses and received estimates of 109.86 and $93.73. Cliamant's van is insured but has a $250.00 deductible.

Under Michigan No Fault Law, MCLA 500.3121, generally property protection insurance benefits are due from the claimant's insurance company without regard to fault. However, under MCLA 500.3135 (d) tort liability exists for:

"(d) damages up to $400.00 to motor vehicles to the extent that the damages are not covered by insurance."

Under Section 158 of Chapter 31 of the Lansing Code of Ordinances:

"No vehicle shall be driven or moved on any street unless such vehicle is so constructed, loaded, or covered as to prevent its contents from shifting, leaking or otherwise escaping therefrom."

Investigation by Public Service reveals that City of Lansing dump truck No. 111 was in operation on October 13, 1980; however, the various routes which it took on October 13, 1980 are impossible to ascertain. However, the claimant is very specific with regard to the identification of the City truck and the circumstances surrounding the incident. Assuming the facts to be as represented by the claimant, it appears that the City bears responsibility for this claim.

Therefore, applying the above mentioned facts to the applicable law, it is the opinion of this office that the claim for the lowest estimated amount of $93.75 should be allowed.

Respectfully submitted,

STEPHEN R. SAWYER,
City Attorney.

By COUNCILMAN ADADO—

That we concur in the recommendation of the City Attorney and the Clerk be and she is hereby directed to draw a warrant on the City Treasurer in the amount of $93.73 payable to Dawn Barnum.

Carried.

February 18, 1981

President Lucile Belen and
Members of City Council

Re: Claim of Ronald Bullion in the amount of $145.21

Dear President Belen and Members of City Council:

The above captioned claim was referred to this office for investigation and recommendation. The amount of this claim represents a special assessment for trash removal at property owned by claimant at 134 woodlawn. Mr. Bullion alleges that he never received notice regarding the existence of a trash problem.

Inquiry by this office reveals that Mr. Bullion was an equitable owner of the property in question as he was purchasing it from Douglas Mollsen on a land contract. However, Mr. Mollsen remained the legal owner and also the taxpayer of record for the property.

The Building Department indicates that notice of a violation of building code was dispatched to Douglas Mollsen as owner and taxpayer of record on 8-8-10 by first class mail. The reinspection of the property on 4-18-80 revealed no effort had been made to bring the property into compliance. Therefore an order was submitted to a private contractor for trash pick up. Consequently the cost of the trash pick up was assessed on the summer taxes as billed to Douglas Mollsen.

The proper procedure regarding notice of tax assessmbent is notice to the owner of the property, if known, and if not known then to the party in possession. Contractual agreements between the parties are not binding on the assessing unit. An assessor fulfills his duties by mailing a notice and statement to known taxpayers, **Fuelgas Company, Inc. v City of Midland,** MTT 32006, 2 MTTR ——, 1980.

Notice as mailed to the owner or those persons whose names appear on the tax roll is valid and, further, the taxpayer's acquiescence to the mailing procedure in prior years estapps him or her from asserting an invalid notice defense in later years, **Rochester Meadows Apts v City of Rochester,** MTT 38637, 2 MTTR ——, 1980.

Based on the foregoing facts and case law, notification as to non-compliance with the building code was sufficient and proper and the subsequent assessment would be considered legal and binding. Therefore, it is the recommendation of this office that this claim be denied.

Respectfully submitted,

STEPHEN R. SAWYER,
City Attorney.

By COUNCILMAN ADADO—

That we concur in the recommendation of the City Attorney and said claim be denied.

Carried.

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February 18, 1981

President Lucile Belen and
Members of City Council

Re: Redemption of Liability in a Workers Compensation Disability Matter Entitled Pedro Pedraza v City of Lansing

Dear President Lucile Belen
and Members of City Council:

In accordance with Article 4, Chapter 3, Section 4-304.7 of the Lansing City Charter, this office hereby requests your authorization to settle the above captioned matter by redeeming the City's liability for the sum of Six Thousand Dollars ($6,000.00).

On or about November 2, 1977, Mr. Pedraza allegedly injured his lower back while hauling trash in trash barrels in his capacity as a laborer for the Parks Department. Mr. Pedraza allegedly reinjured his back in January of 1979 while painting swings. As a result of these alleged injuries, the City has continuously paid Mr. Pedraza workers' compensation benefits from November 8, 1977 to January 23, 1980 at which time the City terminated benefits because of a report by Dr. Frederick Trager. Dr. Trager stated he could not explain Mr. Pedraza's symptomology and could not make any objective findings of injury to Mr. Pedraza's back.

Mr. Pedraza then, through his attorney, filed a petition for disability benefits under the Worker's Compensation Disability Act alleging that Mr. Pedraza sustained a physical disability to his back as a result of the loading of the trash and the painting of the swings. his petition also stated that Mr. Pedraza suffered emotional injury which he honestly perceived was caused by these incidents.

Mr. Pedraza was then examined by Dr. Pedro A. Ojeda, a psychiatrist. Dr. Ojeda diagnosed that Mr. Pedraza suffered from a psychogenic pain disorder. Under the law of Worker's Compensation, a claimant is entitled to benefits for emotional injuries provided the claimant honestly perceives that his mental condition was caused, aggravated, or accelerated by a physical trauma experienced at work. Under this rule, if Mr. Pedraza were to testify, which it is certain he would, that he honestly felt he had emotional injury which he honestly felt was caused by the incidents involving the trash and swings, he would be entitled to recover.

Under the above rule, there is a good chance Mr. Pedraza would receive an open award which in this case would include:

| | |
|---|---|
| Accrual: | $ 7,323.80 |
| Annual Benefits: | $ 6,924.32 |
| Total: | $14,248.12 |

Each additional year of liability would cost the City $6,924.32.

Moreover, even if Mr. Pedraza were to lose, he could still bring suit against the City if, in the future, he were to reinjure his back while subsequently employed. Because Mr. Pedraza is only 29 years of age, he has many potential future working years and the City would be exposed to potential liability during all those years. As a result this office has negotiated a tentative settlement in this matter in the amount of Six Thousand Dollars ($6,000.00) which it feels is advantageous to the City.

In view of the foregoing, it is the recommendation of this office that City Council approve the redemption of liability for the sum of Six Thousand Dollars ($6,000.00).

Respectfully submitted,

STEPHEN R. SAWYER,
City Attorney.

By COUNCILMAN ADADO—

That we concur in the recommendation of the City Attorney and the redemption of liability be allowed in the amount of $6,000.00.

Carried.

February 18, 1981

Council President Belen and
Members of the Lansing City Council

City of Lansing, Michigan 48933

City Hall

Dear President Belen and
Council Members:

At the February 17, 1981 meeting of the Citizens' District Council No. 3, representatives of the Motor Wheel Corporation made a brief presentation on the proposed expansion of their Lansing plant and the need for tax abatement in this project area.

In 1979 the Physical Development Plan for NDA No. 3 Expanded Area was written. Included as a part of that plan was massive property acquisition in the Case Street area. The disposition of that property following demolition of structures was for the land to be developed for "industrial and buffering reuse." Actual plans were for the construction of an environmental berm to screen the residential area along Ballard Street from the Motor Wheel plant. The remaining portion of the land was to be deeded over to Motor Wheel for their use. I feel that in writing and approving this plan with the provisions mentioned above, this District Council showed their support for the expansion of the Motor Wheel Corporation. Approval and support of the Case Street Sewer Project and the David Street Extension using Title One funds further illustrates the commit-

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ment that this Citizens' District Council has to Motor Wheel.

In return for this financial commitment, the staff at Motor Wheel has made every effort possible to make their relationship with the surrounding neighborhood a positive one. They have provided staff support in the planning and implementation of area projects and intend to continue that support.

The members of Citizens' District Council No. 3 have been pleased with the concern that Motor Wheel has shown for the residents of our area. For that reason and many more that have been innumerated by other groups in the city, the Citizens' District Council No. 3 voted unanimously to support the tax abatement for Motor Wheel. We urge that members of the City Council take affirmative action on this issue.

Sincerely,

LARRY PARKER,
Chairman, CDC No. 3.

Referred to Committee on Economic Development.

DATE: 2/17/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Submission of attached correspondence from the Acting President, Executive Board of the Greater Lansing Labor Council Re: Support of approval for tax abatement for proposed rehabilitation of Motor Wheel

The attached correspondence is submitted for your information.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Economic Development.

DATE: 2/19/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Budget Office Re: Proposed Processing Costs for Weed Cutting, Trash Removal, Demolition

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Public Property and Safety.

February 19, 1981

Council President Lucile Belen and Members of the Lansing City Council

10th Floor, City Hall

Lansing, Michigan 48933

Dear Council President and Members:

Attached please find a copy of a communication received from Larry Parker, Chairman, CDC No. 3, regarding the position of Mr. Jim LaMacchia on Citizens' District Council No. 3, which is self-explanatory.

In accordance with the Bylaws of the CDC, the position of Mr. LaMacchia is hereby declared vacant. A replacement will be forwarded to you upon completion of the selection process by the CD staff.

Sincerely,

GERALD W. GRAVES,
Mayor.

Received and placed on file.

DATE: 2/19/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Planning Director
Re: ACT-42-80 Ingham Medical Hospital Vacate Parkland
ACT-2-81 Alley Vacation—Moores Park

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Physical Development.

DATE: 2/19/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Planning Director
Re: SUP-8-80 240 Mill Street
SUP-1-81 Northeast corner River and Elm Streets

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Physical Development.

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DATE: 2/19/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Planning Director Re: P-2-79 Glenburne No. 5 Subdivision Final Plat

P-1-81 Capitol Commons Neighborhood Urban Renewal Preliminary Plat

P-2-81 Midfield Subdivision Preliminary Plat

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Physical Development.

DATE: 2/19/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Planning Director Re: Z-1-81 500 S. Capitol Avenue

Z-2-81 and ACT 1-1-81 1500 Block Woodlawn Avenue

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Physical Development.

DATE: 2/19/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Planning Director Re: Public Hearing for Plan Amendments to Provide for Permanent Liens in NDA's 1, 2, 3 and 4

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Physical Development.

DATE: 2/19/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Planning Director Re: Rehabilitation Standards for NDA No. 2 and No. 3

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Physical Development.

DATE: 2/19/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Planning Director Re: Financial Services for NDA No. 2 and No. 3

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Physical Development.

DATE: 2/19/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Planning Director Re: Delta Township Annexation

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Physical Development.

DATE: 2/19/81

TO: Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Option for Purchase of Land at Coleman Road Landfill

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The attached correspondence is forwarded for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Physical Development.

DATE: 2/19/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Submission of attached correspondence from the Police Chief Re: Response to letter of complaint of James E. Wiles dated February 5, 1981

The attached correspondence is submitted for your information.

GERALD W. GRAVES,
Mayor.

Received and placed on file.

## RESOLUTIONS

By COMMITTEE OF THE WHOLE—

Resolved by the City Council of the City of Lansing the request of the Caravan Youth Center Circus for a parade permit for a parade to be held on March 5th between 12:00 noon and 1:00 p.m. on Michigan Avenue between Capitol and Grand for the purpose of staging an elephant race is hereby approved, provided the necessary signatures are obtained from the Police, Traffic, and Public Service departments.

Adopted by the following vote:

Unanimously.

By COUNCILMAN BRENKE—

Resolved by the City Council of the City of Lansing the request from El Azteco Two, Inc., for transfer ownership of 1980 Class C license, located in escrow at 1014-1018 W. Saginaw Street, Lansing, Michigan, Ingham County from Joseph Celentino is hereby approved provided the necessary inspections have been made and all other requirements of the Liquor Control Commission have been satisfied.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PUBLIC PROPERTIES AND SAFETY—

Resolved by the City Council of the City of Lansing:

Whereas, vandalism in the City-owned parking lot No. 15 in the 500 block of East Michigan Avenue within a one week period in late January—early February resulted in irreparable damage to a total of 33 parking meters worth $125.00 each or a total of $4,125.00; and

Whereas, the Traffic Board has reviewed these incidents and concluded that this damage was a direct result of poor lighting in the lot because of its remote location off Michigan Avenue; and

Whereas, the Mayor has made recommendations on two occasions that the Council approve a $600.00 expenditure for lighting improvements in the lot, with the Traffic Board now supporting the Mayor's position due to the vadalism incidents;

Now, Therefore, Be It Resolved the Lansing City Council hereby approves the proposed lighting improvements in parking lot No. 15, as recommended by the Mayor and the Traffic Board; and

Be It Further Resolved the Committee on Ways and Means is directed to prepare a transfer of funds to provide $600.00 for the lighting improvements.

Lost by the following vote:

Yeas: Councilmen Adado, Belen, Blair, Lindemann—4.

Nays: Councilmen Brenke, Gunther, McKane, Worthington—4.

By COMMITTEE ON PUBLIC PROPERTIES AND SAFETY—

Resolved by the City Council of the City of Lansing:

Whereas, on October 6, 1980, the City Council approved the installation of stop signs on Averill Drive at Sandhurst Drive for a 90-day trial period; and

Whereas, the Traffic Board has reviewed the experiment, noting no accidents during the trial period and no complaints from the neighborhood, resulting in a recommendation to keep the stop signs on a permanent basis;

Now, Therefore, Be It Resolved the Lansing City Council hereby approves the Permanent placement of stop signs on Averill Drive at Sandhurst Drive.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PUBLIC PROPERTIES AND SAFETY—

Resolved by the City Council of the City of Lansing:

Whereas, the principal of Forest View

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School has requested a parking prohibition on the west side of Stoneleigh Drive opposite the school due to obstruction of view for children using the school's crosswalk; and

Whereas, the Traffic Board has reviewed the request and determined that the parking prohibition should be approved;

Now, Therefore, Be It Resolved the Lansing City Council hereby approves the recommended parking prohibition as follows:

NO PARKING 7 a.m.-4 p.m. School Days on the west side of Stoneleigh Drive from Wabash Road to 290 feet north of Wabash Road.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PUBLIC PROPERTIES AND SAFETY—

Resolved by the City Council of the City of Lansing:

Whereas, the West Michigan Avenue entrance drive to the City Hall basement parking lot is often partially blocked by vehicles improperly using the metered parking space just east of the driveway on the north side of W. Michigan Avenue; and

Whereas, the vision of drivers exiting City Hall onto Michigan Avenue is often blocked by vehicles parked in this same space;

Now, Therefore, Be It Resolved the Lansing City Council hereby establishes a NO PARKING AT ANY TIME restriction on the north side of West Michigan Avenue from 229 feet east of Capitol Avenue to 257 feet east of Capitol Avenue; and

Be It Further Resolved the Mayor is requested to have the Police Department and Transportation Division enforce this prohibition at all times.

Adopted by the following vote:

Unanimously.

By COUNCILMAN WORTHINGTON—

Resolved by the City Council of the City of Lansing:

That the City Clerk is hereby requested to schedule and announce a public hearing before the Lansing City Council at 7:00 p.m. on Monday, March 2, 1981, in the 10th floor chambers of City Hall, for the purpose of receiving public comment on the proposed revision of Chapter 16A of the Code of Ordinances, be amended by adding new sections to be numbered Sec. 16A-22 through Sec. 16A-39 to provide for the establishment of a City-Wide Refuse Newsprint Collection Service by Private Non-Profit Organizations within the City of Lansing.

Adopted by the following vote:

Unanimously.

By PHYSICAL DEVELOPMENT COMMITTEE—

Resolved by the City Council of the City of Lansing:

SUP-1-80

324 West Hillsdale

Whereas, a special use permit (SUP-1-80) was approved by City Council on May 5, 1980 for the property at 324 West Hillsdale; parcel number: 3301-16-379-001, for a period of six (6) months; and

Whereas, said property was to be used by New Way In, Incorporated for a residential rehabilitation facility for twelve (12) women; and

Whereas, Father Raymond Kacirk, Director of New Way In, Incorporated, has requested an extension of the special use permit, SUP-1-80, for an additional six (6) months; and

Whereas, the Physical Development Committee of City Council reviewed said request at their meeting on Wednesday, February 11, 1981 and recommended approval of SUP-1-80 for an additional six months;

Now, Therefore, Be It Resolved that the Lansing City Council approves an extension of the special ues permit (SUP-1-80) for the property at 324 West Hillsdale for use as a residential rehabilitation facility for twelve (12) women for a period of six months, subject to the conditions as set forth in the original approval of May 5, 1980.

Adopted by the following vote:

Yeas: Councilmen Adado, Belen, Brenke, Gunther, Lindemann, McKane, Worthington—7.

Nays: Councilman Blair—1.

By PHYSICAL DEVELOPMENT COMMITTEE—

Resolved by the City Council of the City of Lansing:

Whereas, a vacancy exists on the Board of Zoning Appeals, and

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Whereas, the Mayor has submitted the name of Mr. Robert L. Thompson for consideration and confirmation, and

Whereas, the Committee has interviewed Mr. Thompson,

Now, Therefore, Be It Resolved, the City Council of the City of Lansing hereby approves and confirms the appointment of Mr. Robert L. Thompson to the Board of Zoning Appeals for a term to expire in June 1982.

Adopted by the following vote:

Unanimously.

By ECONOMIC DEVELOPMENT COMMITTEE—

Resolved by the City Council of the City of Lansing:

Whereas, by petition duly filed on January 8, 1981 this Council was petitioned to establish a Lansing Commercial Redevelopment District CRD-1-81, pursuant to Public Act 255 of 1978; and

Whereas, due notice has been given for a public hearing on said petition; and

Whereas, at such hearing held on the 16th day of February, 1981, all parties interested therein were heard and given due consideration; and

Whereas ,the property involved is located at the northeast corner of Pine and Ionia Streets and is particularly described as:

The East ½ of the West ½ of Lots 7 and 8 of Block 87 of the Original Plat of the City of Lansing, Ingham County, Michigan; the west 41¼ feet of Lot 7 and the South 30¼ feet of the West 41¼ feet of Lot 8, Block 87, of the Original Plat of the City of Lansing, Ingham County, Michigan; the North 35½ feet of the West 41¼ feet of Lot 8, Block 87, Original Plat, City of Lansing, Ingham County, Michigan; and Lot No. 9, Block No. 87, Original Plat of the City of Lansing, Ingham County, Michigan; and

Whereas, after considering all the testimony presented to this Council, this Council has determined that the proposed District be zoned for commercial office use and has been so zoned for three years prior to the effective date of P.A. 255, and consists of cleared land in an area characterized by obsolete commercial property and a decline in commercial activity;

Now, Therefore, Be It Resloved that the Council of the City of Lansing hereby establishes a Lansing Commercial Redevelopment District CRD-1-81 at the above described property.

Adopted by the following vote:

Unanimously.

By ECONOMIC DEVELOPMENT COMMITTEE—

RESOLUTION APPROVING PROJECT AREA, PROJECT DISTRICT AREA AND APPOINTMENT OF ADDITIONAL DIRECTORS

(Michigan Theatre Renovation)

Minutes of a Regular meeting of the City Council of the City of Lansing, Michigan, held at 7:00 o'clock P.M., Michigan Time, on February 23, 1981, at which the following members were present: Councilmen Adado, Belen, Blair, Brenke, Gunther, Lindemann, McKane, Worthington; and the following were absent: None.

The following preamble and resolution were offered by Councilman Adado and supported by Councilman Gunther:

Whereas, there exists in the City of Lansing the need for programs to alleviate and prevent conditions of unemployment, to assist and retain local industries and commercial enterprises in order to strengthen and revitalize the City's economy and to encourage the location and expansion of commercial enterprises to provide needed services and facilities to the City and its residents; and

Whereas, the Economic Development Corporations Act, being Act No. 338, Public Acts of Michigan, 1974, as amended (the "Act") provides a means by which this purpose and intent may be accomplished; and

Whereas, Anthony S. Brown and Eric Y. Lutz have proposed the acquisition and construction of a new commercial facility for use as commercial or office space by commercial enterprises (the "Project") to alleviate the aforesaid conditions and provide needed services and the Project has been initiated by The Economic Development Corporation of the City of Lansing (hereinafter referred to as the "EDC"); and

Whereas, the EDC, in conformity with Act 338 of the Public Acts of 1974, as amended, has designated a project area and recommended a project district area for the Project to this City Council for its approval; and

Whereas, the Mayor of the City of Lansing has appointed two additional directors to the EDC Board who are representative of neighborhood residents or business interests which may be affected by the project.

Now, Therefore, Be It Resolved by this City Council of the City of Lansing, as follows:

1. The following project area, as designated by the EDC, be and is hereby certified as approved:

PARCEL I: The North ½ of Lot 4, Block 114, Original Plat, City of Lan-

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sing, Ingham County, Michigan, according to the recorded plat thereof.

PARCEL II: Lot 3; the North 32 feet of Lot 8, the South 2/3 of the East 50 feet of Lot 9, the North 1/3 of Lot 9, and the South 32 feet of Lot 10, all in Block 114, Original Plat, City of Lansing, Ingham County, Michigan, according to the recorded plat thereof.

PRACEL III: The North 34 feet of Lot 10 and the South 21 feet of Lot 11, Block 114, Original Plat, City of Lansing, Ingham County, Michigan, according to the recorded plat thereof.

2. The Project Area is zoned for its contemplated use and the surrounding property is not expected to be significantly affected by the Project. Accordingly, the Project District Area is hereby designated as that parcel described as follows:

PARCEL I: The North ½ of Lot 4, Block 114, Original Plat, City of Lansing, Ingham County, Michigan, according to the recorded plat thereof.

PARCEL II: Lot 3; the North 32 feet of Lot 8, the South 2/3 of the East 50 feet of Lot 9, the North 1/3 of Lot 9, and the South 32 feet of Lot 10, all in Block 114, Original Plat, City of Lansing, Ingham County, Michigan, according to the recorded plat thereof.

PARCEL III: The North 34 feet of Lot 10 and the South 21 feet of Lot 11, Block 114, Original Plat, City of Lansing, Ingham County, Michigan, according ot the recorded plat thereof.

3. It is hereby determined that there are less than eighteen (18) residents, real property owners, or representatives of establishments located within the Project District Area and, therefore, a Project Citizens District Council shall not be formed pursuant to Section 20 (b) of the Act.

4. The City Clerk be, and is hereby directed to provide a certified copy of this resolution to the Secretary of the Board of the Corporation.

Adopted:

Yeas: Councilmen Adado, Belen, Blair, Brenke, Gunther, Lindemann, McKane, Worthington.

Nays: None.

Not Voting: None.

Absent: None.

STATE OF MICHIGAN }
COUNTY OF INGHAM } ss.

I hereby certify that the foregoing is a true and complete copy of the minutes of a regular meeting of the City Council of the City of Lansing, Counties of Ingham, Eaton and Clinton, Michigan, held on the 23rd day of February, 1981, and that the said minutes are on file in the office of the City Clerk and are available to the public.

THEO FULTON,
City Clerk.

Dated: February 23, 1981.

Adopted by the following vote:

Unanimously.

By ECONOMIC DEVELOPMENT COMMITTEE—

Resolved by the City Council of the City of Lansing:

Whereas, the Lansing City Council has established a Lansing Industrial Development District IPR-8-80 in the City of Lansing, pursuant to Act 198, 1974, and

Whereas, Oldsmobile Division of General Motors Corporation has submitted an application for an Industrial Facility Exemption Certificate in said Industrial Development District IPR-8-80, and

Whereas, a hearing was held on Oldsmobile Division of General Motors Corporation's application for an exemption certificate on February 16, 1981, at which time all interested persons had an opportunity to be heard, and

Whereas, this Council finds that the granting of this exemption certificate, considered together with the aggregate amount of Industrial Facilities and Commercial Redevelopment Exemption Certificates previously granted and currently in force shall not have the effect of substantially impeding the operation of the City of Lansing nor impairing the financial soundness of taxing units levying ad valorem property taxes in the City of Lansing; see memorandum of the Finance Director Dated February 3, 1981, attached hereto:

Now, Therefore, Be It Resolved that the Council of the City of Lansing approve the application from Oldsmobile Division of General Motors Corporation for an exemption certificate in Lansing Industrial Development District IPR-8-80 and shall remain in effect for a preiod of 12 years.

Adopted by the following vote:

Unanimously.

By COMMITTEE OF THE WHOLE—

Resolved by the City Council of the City of Lansing:

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Whereas, the Department of Transportation has announced the availability of 15 million of discretionary funds for the Comprehensive Transportation System Management Assistance Program (TSM); and

Whereas, transportation plans and programs are being called upon to an increasing extent to support other important national and local objectives such as energy conservation, air quality, safety, urban revitalization, and economic development; and

Whereas, the intent of this new program is to stimulate broader implementation of a wide range of generally proven TSM techniques, such as ridesharing, traffic signalization, pedestrian and bicycle facilities, and parking management programs; and

Whereas, the monies requested will be implementation monies used to supplement on-going programs and development of new TSM strategies in our project area consisting of Waverly Road and the Central Business District; and

Whereas, the matching requirement can be fulfilled by utilizing monies which have already been expended and/or will be expended for other Department of Transportation Programs; and

Whereas, the City of Lansing acting as a participant desires to submit a letter of interest to the Department of Transportation on behalf of the City of Lansing, the Tri-County Regional Planning Commission, Ingham County, Eaton County, and the Capital Area Transportation Authority setting forth the project elements of our joint proposal, with the Tri-County Regional Planning Commission acting as the grantee ,responsible for passing the monies through to the participating agencies; and

Whereas, the agencies referenced above have each submitted a letter of endorsement and commitment to the joint proposal; and

Now, Therefore, Be It Resolved, that the Lansing City Council does support and authorize the submission of the letter of interest to the Department of Transportation for the purpose of requesting funds for the implementation of a comprehensive areawide Transportation System Management Program.

Adopted by the following vote:

Unanimously.

By COMMITTEE OF THE WHOLE—

Resolved by the City Council of the City of Lansing:

Whereas, the possibility of hiring a professional lobbyist to represent the City of Lansing in the legislative area has been discussed from time to time; and

Whereas, this matter was discussed briefly at the Committee of the Whole meeting on January 29th, 1981;

Now, Therefore, Be It Resolved, the City Council of the City of Lansing hereby authorizes the creation of an ad hoc committee of Council to resaerch and discuss the possibility of retaining a lobbyist for the City and report back to the Council with specific recommendations; and

Be It Further Resolved, the Council President shall appoint the members of Council to serve on this special ad hoc committee.

Adopted by the following vote:

Unanimously.

President Belen named Councilmen Blair, Adado and Worthington to serve as the committee.

By COMMITTEE OF THE WHOLE—

Resolved by the City Council of the City of Lansing:

That the appointment of Mr. Eugene Rykse to the Downtown Development Authority is hereby confirmed and approved for a term to expire in June, 1983.

Adopted by the following vote:

Unanimously.

By COUNCILMAN ADADO—

Resolved by the City Council of the City of Lansing:

That the rules of the Council be waived for the purpose of presenting items that are not listed on the agenda.

Carried.

By COUNCILMAN ADADO—

Resolved by the City Council of the City of Lansing:

Whereas, the City of Lansing applied for an Urban Development Action Grant for the purpose of assisting in the development of Capitol Commons, and

Whereas, a portion of this Urban Development Action Grant application included a proposed loan of one million five hundred thousand dollars ($1,500,000) to the EJS Housing Partnership for the construction of one hundred forty-six (146) low rise rental apartments and townhouses, and

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Whereas, the U. S. Department of Housing and Urban Development awarded a Urban Development Action Grant of nine hundred thirty-five thousand dollars ($935,000) to the City of Lansing for loan to the developer for the construction of the rental units, and

Whereas, this reduced grant award has created a deficit of five hundred sixty-five thousand dollars ($565,000) in proposed project development costs which could result in a reduction in project improvements,

Now, Therefore, Be It Resolved that the City of Lansing does hereby commit to contribute two hundred fifty thousand dollars ($250,000) to the development of the one hundred forty-six (146) low-rise rental apartments and townhouses with the same terms and conditions which are being applied to the Urban Development Action Grant funds loaned to the developer, and

Be It Further Resolved that execution of such an agreement shall be contingent upon receipt by the City of land sale proceeds from the developer of at least four hundred seventy-five thousand two hundred dollars ($475,200), and

Be It Further Resolved that implementation of the loan agreement for these funds shall be at the sole discretion of the city and shall be based solely on the City's determination of necessity.

Adopted by the following vote:

Unanimously.

By WAYS AND MEANS COMMITTEE—

Resolved by the City Council of the City of Lansing:

That the following transfer be approved:

$250,000.00 from Estimated Revenues
A/C 250-000-000-160

$250,000.00 to Capitol Commons—Acquisition/Site Improvement
A/C 252-839-006-978

I hereby certify that this is a properly drawn and eligible transfer.

JAMES W. DOWSETT,
FGinance Director.

Approved:

TERRY J. McKANE,
WILLIAM A. BRENKE,
JACK D. GUNTHER,
Ways and Means Committee.

Adopted by the following vote:

Yeas: Councilmen Adado, Belen, Blair, Brenke, Gunther, Lindemann, McKane—7.

Nays: Councilman Worthington—1.

By WAYS AND MEANS COMMITTEE—

Resolved by the City Council of the City of Lansing:

That the following transfers be approved:

$ 11.87 from General Fund Estimated Revenue
A/C 101-000-000-160

$ 11.87 to Police Citizens' Contributions
A/C 101-305-000-956

$ 906.00 from Unprogrammed Match
A/C 101-934-095-969

$ 906.00 to YWCA
A/C 101-934-076-969

$ 702.00 from Salaries and Longevity—Parking System Fund
A/C 585-536-000-702

$ 702.00 to Temporary Help—Parking System Fund
A/C 585-536-000-707

$25,076.87 from Wages—Temporary Help
A/C 593-539-000-707

19,338.89 from Building and Grounds Maintenance
A/C 593-539-000-930

$44,415.76 to Professional Services
A/C 593-539-000-801

$ 3,640.00 from Civic Center Fringe Benefits
A/C 593-536-000-715

$ 3,640.00 to Civic Center—Snow Removal
A/C 593-570-000-816

$ 4,715.00 from District Court Estimated Revenues
A/C 760-000-000-160

8,519.00 from General Fund Estimated Revenues
A/C 101-000-000-160

$ 3,804.00 to District Court Salaries
A/C 760-136-000-702

911.00 to District Court Fringe Benefits
A/C 760-136-000-915

3,804.00 to Probation—Salaries and Longevity
A/C 101-151-000-702

4,715.00 to District Court Expenditures
A/C 101-136-000-700

I hereby certify that this is a properly drawn and eligible transfer.

JAMES W. DOWSETT,
Finance Director.

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Approved:

TERRY J. McKANE,
WILLIAM A. BRENKE,
JACK D. GUNTHER,
Ways and Means Committee.

Discussion was held on the transfer of funds.

The following vote was taken on the transfer of funds excluding the $44,415.76.

Adopted by the followig vote:

Unanimously.

The following vote was taken on the transfer of funds for $44,415.76.

Adopted by the following vote:

Yeas: Councilmen Adado, Belen, Brenke, Gunther, Lindemann, McKane, Worthington—1.

Nays: Councilman Blair—1.

By COUNCILMAN GUNTHER—

Resolved by the City Council of the City of Lansing:

That the rules of the Council be waived for the purpose of presenting items that are not listed on the agenda.

Carried.

Letter from James B. Lanning, Manager of Hall Risk Management Services, Inc., in regard to purchase of property and a portion of this property being used by the city for a road at 4308 Christiansen.

Referred to City Attorney, Committee on Physical Development.

## REMARKS BY THE MAYOR'S EXECUTIVE ASSISTANT

No remarks.

## REMARKS BY THE CITY COUNCIL

Councilman Blair spoke relative to his attending the Police Board meeting.

Art Smith, representing Oldsmobile, thanked Council, Mayor, and staff for work done on tax abatement.

By COUNCILMAN ADADO—

That this meeting stand adjourned.

Carried.

Council adjourned at 9:00 p.m.

THEO FULTON,
City Clerk.

Lansing, Michigan

February 23, 1981

F/B

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CITY CLERK'S OFFICE
Room 921, City Hall
Lansing, Michigan 48933

Address Correction Requested

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U. S. POSTAGE
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Permit No. 1461
Lansing, Michigan



# OFFICIAL PROCEEDINGS OF THE CITY COUNCIL OF THE CITY OF LANSING

## Proceedings, March 2, 1981

CITY COUNCIL ROOMS

Lansing, Michigan

March 2, 1981

The City Council of the City of Lansing, Michigan, met in regular session and was called to order by President Belen.

Present: Councilmen Adado, Belen, Blair, Brenke, Gunther, Lindemann, McKane, Worthington—8.

Absent: None.

The Clerk announced that a quorum of the Council was present.

Invocation was given by Councilman Adado.

Pledge of Allegiance was led by Councilman Adado.

By COUNCILMAN McKANE—

That the council proceedings of February 9 and 16, 1981, be approved.

Carried.

HEARING ON PROPOSED CHANGE IN ZONING CLASSIFICATIONS

March 2, 1981, at 7:00 o'clock being the time set as the time for holding a hearing on the proposed changes in the Classifications as provided for in the Zoning Code which was passed by the City Council on November 13, 1958, said proposed amendment being as follows:

That the property described as:

Z-45-80 — 700 block Call St.,

be rezoned from "B" One Family Residential District to "F" Commercial District.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed amendment(s) to the Classifications provided for in the Zoning Code he had the privilege of speaking at this time.

No objections were made to the proposed amendment(s).

Referred to Committee on Physical Development.

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March 2, 1981, at 7:00 o'clock being the time set as the time for holding a hearing on the proposed changes in the Classifications as provided for in the Zoning Code which was passed by the City Council on November 13, 1958, said proposed amendment being as follows:

That the property described as:

Z-43-80 — 328 S. Butler Blvd.,

be rezoned from "C" Two Family Residential District to "F" Commercial District.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed amendment(s) to the Classifications provided for in the Zoning Code he had the privilege of speaking at this time.

No objections were made to the proposed amendment(s).

Referred to Committee on Physical Development.

March 2, 1981, at 7:00 o'clock being the time set as the time for holding a hearing on the proposed changes in the Classifications as provided for in the Zoning Code which was passed by the City Council on November 13, 1958, said proposed amendment being as follows:

That the property described as:

Z-44-80 — 5303 S. Logan St.,

be rezoned from "E-2" Drive-In Shop District to "F" Commercial District.

The Mayor announced that if there was anyone present who had any suggestions or objections to make to the proposed amendment(s) to the Classifications provided for in the Zoning Code he had the privilege of speaking at this time.

Objections were made to the proposed amendment(s).

Petition filed in objection to the rezoning:

Ray Scodller, representing Jack Thomas, the petitioner spoke.

Referred to Committee on Physical Development.

## PUBLIC HEARING

March 2, 1981, at 7:00 o'clock being the time set as the time for holding a public hearing on the proposed establishment of a Lansing Industrial Development District IPR-2-81 on property bounded by Case and Ballard Streets, Penn-Central Rail right-of-way and Oakland Avenue.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed district they had the privilege of speaking at this time.

Referred to Committee on Economic Development.

## PUBLIC HEARING

March 2. 1981, at 7:00 o'clock being the time set as the time for holding a public hearing on the proposed establishment of a Lansing Plant Rehabilitation District IPR-3-81 — Motor Wheel Corporation, 1600 N. Larch Street.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed district they had the privilege of speaking at this time.

The following persons spoke:

Richard McDonald, Lansing Regional Chamber of Commerce.

Walter Jones, 215 Rumsey Ave.

Larry Parker, 1416 New York, Chr., N.D.A. No. 3.

Dale Martin, Motor Wheel Corp.

Richard Collins, International union representative.

Wm. Jones, Pres., bargaining committee.

Referred to Committee on Economic Development.

## PUBLIC HEARING

March 2, 1981, at 7:00 o'clock being the time set as the time for holding a public hearing on the proopsed revisions of Chapter 16A of the Code of Ordinances, be amended by adding new sections to be numbered Section 16A-22 through Section 16A-39 to provide for the establishment of a City-wide Refuse Newsprint Collection Service by private non-profit organizations within the City of Lansing.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed ordinance they had the privilege of speaking at this time.

Jim Nelson, Greater Lansing Urban League, spoke.

Councilman McKane read letter from Mrs. Brim.

Referred to Committee on Physical Development.

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**THE PUBLIC MAY NOW ADDRESS THE CITY COUNCIL ON ANY OF THE FOLLOWING ITEMS LISTED ON THE AGENDA: COMMUNICATIONS AND PETITIONS, COMMITTEE REPORTS, REPORTS OF CITY OFFICERS AND BOARDS, AND RESOLUTIONS. YOU MAY SPEAK ONLY FOR 3 MINUTES ON ANY ONE ITEM.**

Under Reports of City Officers and Boards, Item No. 1 from City Attorney removed.

Orrin E. Sharp, Wellington Rd., spoke.

Fred Porter, N.A.A.C.P., spoke relative ordinance.

Chas. Mitchner, Pres., Urban League, spoke re: ordinance.

Robert Dixon, 815 Banghart, spoke relative Drain Layer and Sewer Cleaners.

## COMMUNICATIONS AND PETITIONS

The following claims have been filed for damage to automobiles due to hitting pot holes.

James A. Osburn.

Janet Robinson.

Craig A. Hatcher.

Ann K. Fisher.

Sheri Page.

Referred to Mayor, City Attorney.

Claim filed by Andy Powell for damage to his automobile incurred as a result of an accident with a police vehicle.

Referred to Mayor, City Attorney.

Request from Janice B. Lahr for reimbursement for two trash cans that were taken by city garbage pickup crew.

Referred to Mayor, City Attorney.

Petitions filed for rezoning:

Z-6-81 —

Lot 5 and the south 33 feet of the east 132 feet of Lot 4, Block 17, Original Plat, City of Lansing, Ingham County, Michigan, from "C" Two Family Residential District to "H" Light Industrial District — (737, 739, 741 N. Larch St.).

Z-7-81 —

The east 100 feet of Lot 35, and the East south 35 feet of East 100 feet, of Lot 34, Good Homes Subdivision, City of Lansing, Ingham County, Michigan, from "A" One Family Residential District to "C" Two Family Residential District — (1832 Hoyt St.).

Z-8-81 —

All that part of the West 15 feet of Lot 3, Block 1, of Manufacturer's Addition Number 1 to the City of Lansing, Ingham County, Michigan, lying North of a line described as — Beginning at a point on the West line of said Lot 3, which is 45 feet south of the Northwest corner of said Lot 3, thence Easterly to a point of ending on the East line of said Lot 3 which is 42.5 feet south of the Northeast corner of said Lot 3, City of Lansing, Ingham County, Michigan from "C" Two Family Residential District to "F" Commercial District — 801 N. Hosmer St.

Referred to Mayor, Planning Board.

Request from The Ballet Folklorico Ibero-Hispano, Inc., requesting a resolution from the City Council naming their organization as a non-profit organization for a bingo license.

Referred to Mayor, Committee on General Services.

Letter from Iraj Eftekhari in regard to tax abatement for 327 S. Washington Avenue.

Referred to Committee on Economic Development.

Letter from Baryames Drive-In Cleaners and Shirt Launderers in regard to the proposed transportation center.

Referred to Mayor, Planning Board.

Letters received in regard to indicating intent to participate in the Capital Area Transportation Authority from:

City of East Lansing.

Charter Township of Meridian.

Received and placed on file.

Letters from Orrin E. Sharp in regard to the following subject matters:

Personal concerns.

Referred to Mayor, Committee of the Whole.

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City General Ordinance No. 151.

Referred to Mayor, Committee on Ways and Means.

**MAYOR'S EXECUTIVE ASSISTANT COMMENTS ON ANY ITEM ON THE AGENDA:**

Mr. Black spoke on Letter 3K from Mayor re: fee schedule for Park and Recreation programs.

**REPORTS OF COMMITTEES**

The COMMITTEE ON PUBLIC PROPERTIES AND SAFETY, to whom was referred the Mayor's recommendation on proposed processing costs for weed cutting, trash removal, and demolitions, reports as follows:

At the Council's organizational meeting in January, the President directed that matters pertaining to the Building Safety and Development Department be handled by the Committee on General Services. Therefore, this Mayor's recommendation is referred to the Committee on General Services.

Signed:

PAT LINDEMANN,
SIDNEY P. WORTHINGTON,
JAMES BLAIR,
Committee on Public Properties and Safety.

By COUNCILMAN LINDEMANN—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

The COMMITTEE ON PUBLIC PROPERTY AND SAFETY, to whom was referred the ordinance of the City of Lansing providing that the Code of Ordinances be amended by repealing of Chapter 17B in its entirety being sections 17B-1 through 17B-8 of the Code and declaring same to be null and void and of no effect for the purpose of updating and strengthening provisions concerning the Human Relations Board, reports as follows:

That said ordinance be passed.

Signed:

PAT LINDEMANN,
SIDNEY P. WORTHINGTON,
JAMES D. BLAIR,
Committee on Public Property and Safety.

By COUNCILMAN LINDEMANN—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

The COMMITTEE ON PUBLIC PROPERTY AND SAFETY, to whom was referred the ordinance of the City of Lansing providing for the adoption of Chapter 17B of the Code to provide for a Human Relations Board, General Functions and Duties of the Human Relations Board, prohibition against discrimination and provision for equal opportunity by contractors and employers doing business with the City of Lansing, providing for prohibition against discrimination by city departmests or employees and providing for an affirmative action officer and responsibilities thereof, reports as follows:

That said ordinance be passed.

Signed:

PAT LINDEMANN,
SIDNEY P. WORTHINGTON,
JAMES D. BLAIR,
Committee on Public Property and Safety.

By COUNCILMAN LINDEMANN—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

**REPORTS OF CITY OFFICERS AND BOARDS**

February 26, 1981

Miss Theo Fulton, City Clerk

City of Lansing

City Hall

Lansing, Michigan 48933

Dear Miss Fulton:

This letter, exhibits, and attachments are being filed with the City Clerk in accordance with Article 5, Chapter 2, Section 5-205.2 of the City Charter regarding changes in rate structures.

The Board of Water and Light (Board) electric utility operations are subject to the requirements of the Public Utility Regulatory Policies Act of 1978 (PURPA). A public hearing is being scheduled for 7:00 p.m., April 14, 1981, in the Board's main

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office building, 123 West Ottawa, Lansing, Michigan, for the purpose of receiving public comments relative to establishing a rate(s) as set forth in Section 210 of PURPA respecting electric energy transactions with cogeneration and small power production facilities located within the Board's electric service area.

Enclosed herewith are revised BWL rate schedules and Rule 12(j) of Rules and Regulations under consideration by the Board in this matter. Revisions are in italics.

Exhibit A attached hereto is the form of Notice of Public Hearing which will be published in The State Journal on or about March 9, 1981 and two additional times prior to the public hearing date of April 14, 1981.

Very truly yours,

BOARD OF WATER AND LIGHT,
Dorothy LeVan, Secretary.

Received and placed on file.

February 18, 1981

Council President Lucile Belen and Members of the Lansing City Council

10th Floor, City Hall

Lansing, Michigan 48933

Dear Council President and Members:

I am pleased to report to you that the City's fuel consumption for the entire City fleet of vehicles decreased by 42,750 gallons in 1980 compared to 1979. This was a reduction of 11.9%, which was well in excess of the 5.9% target established by President Carter.

While total City mileage was up slightly (3,364,500 in 1980 compared to 3,275,371 in 1979), a substantial amount of the decrease can be attributed to administrative decisions to purchase more fuel efficient automobiles. Average vehicle mileage increased to 10.59 miles per gallon in 1980 compared to 9.09 miles per gallon in 1979, or an increased efficiency of 16.5%.

Nevertheless, the City of Lansing spent $76,156 more for fuel as fuel prices rose 50.9% from 64.14¢ per gallon to 96.76¢ per gallon.

I wish to offer my commendation to Administrative Services Director David L. Purvis, who chairs my Vehicle Advisory Group, for providing recommendations implemented by all departments to creaate fuel efficiencies. With the prospect of continued drastic fuel increases in 1981, the conscious efforts toward fuel efficiency must contniue more than ever to provide continued City services without being overwhelmed by the prices of fuel.

Sincerely,

GERALD W. GRAVES,
Mayor.

Received and placed on file.

February 18, 1981

Council President Lucile Belen and Members of the Lansing City Council

10th Floor, City Hall

Lansing, Michigan 48933

Dear Council President and Members:

Attached for your information is a copy of my most recent correspondence to Congressman James Dunn regarding waste and duplication in the Environmental Protection Agency (EPA).

As to the Denver location of this conference, you may be aware that I have instituted a travel and conference policy limiting trips to within an 800 mile radius from Lansing. This provides adequate range to deal with all Federal agencies when necessary, but eliminates "junkets" when agencies schedule their conferences in such places as Miami, New Orleans, Houston, Los Angeles or other such "places in the sun." I am embarrassed for all government agencies when some agencies elect to locate such conferences in places such as this, or in high class, high cost hotels. It is my intention that the City of Lansing will not be a party to such unnecessary costs at the taxpayers' expense, and no City staff will be sent to such high cost conferences unless there are extreme pressing needs for Lansing participation.

Sincerely,

GERALD W. GRAVES,
Mayor.

Received and placed on file.

February 20, 1981

Council President Lucile Belen and Members of the Lansing City Council

10th Floor, City Hall

Lansing, Michigan 48933

Dear Council President and Members:

I have been advised in final 1980 figures pared by the Safety Division of the Personnel Department that work related injuries and vehicle accidents for the City of Lansing have greatly decreased compared to 1979.

Total personal injury accidents decreased from 451 to 421, a 7.3% improvement. Disabling accidents decreased from 118 to 89, an improvement rate of 24.6%, while total man hours worked decreased 3.8%.

The incident rate of accidents reported decreased from 14.19 in 1979 to 10.85 in 1980, and cases per 100 employees involving days away from work decreased from 7.16 in 1979 to 5.22 in 1980.

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Vehicle accidents among all City Departments decreased by 24%, from 204 in 1979 to 155 in 1980. This includes a decrease from 74 to 54 accidents in the Police Department, a decrease from 21 to 11 accidents in the Fire Department, and a decrease from 109 to 90 accidents among all other City Departments.

I am proud to report to you these figues and commend the efforts of the Safety Division in helping to achieve these results.

Sincerely,

GERALD W. GRAVES,
Mayor.

Received and placed on file.

February 23, 1981

Council President Lucile Belen and
Members of the Lansing City Council

10th Floor, City Hall

Lansing, Michigan 48933

Dear Council President and Members:

I am attaching a letter from the City's Personnel Director which advises that the Firefighters have, for the moment, withdrawn their Unfair Labor Practice charges with reference to the ad hoc committee's ordinance on Personnel.

This is provided to you for information as you continue to consider such an ordinance.

Sincerely,

GERALD W. GRAVES,
Mayor.

Received and placed on file with copy to Committee on General Services.

DATE: 2/25/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Director of Building Safety and Development. Re: Drain Layers and Sewer Cleaners Licensing.

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on General Services.

DATE: 2/25/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Submission of attached correspondence from the Police Chief. Re: 24-Hour Liquor Permits.

The attached correspondence is submitted for your information.

GERALD W. GRAVES,
Mayor.

Referred to Committee on General Services, City Attorney and City Clerk.

DATE: 2/26/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Submission of attached correspondence from the Lansing Board of Education. Re: Letters of Commendation presented to Richard Letts and Sgt. Keith Getts from the Lansing School District in appreciation for their work with the schools.

The attached correspondence is submitted for your information.

GERALD W. GRAVES,
Mayor.

Received and placed on file.

DATE: 2/25/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Submission of attached correspondence from the Public Service Director. Re: Facilities 201 EPA Grant Amendment C262705-1, Step I Amendment.

The attached correspondence is submitted for your information.

GERALD W. GRAVES,
Mayor.

Received and placed on file.

DATE: 2/26/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Submission of attached correspondence from the American Business

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Magazine. Re: News Article regarding Hartford (Conn.) Civic Center.

The attached correspondence is submitted for your information.

GERALD W. GRAVES,
Mayor.

Received and placed on file.

DATE: 2/26/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Public Service Director. Re: Richard Road Sanitary Sewer.

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Physical Development.

February 25, 1981

Council President Lucile Belen and
Members of the Lansing City Council

10th Floor, City Hall

Lansing, Michigan 48933

Dear Council President and Members:

Attached please find the recommended fee schedule for Parks and Recreation programs for the coming athletic year.

The fee schedule takes into consideration your contemplated adoption of the non-resident fee differential as recommended to you on January 28, 1981, with the request that your action on this matter be completed by February 23, 1981. Although that action is not complete, it is my understanding that City Council is likely to adopt the non-resident differential as City policy. Naturally, if that is not adopted, it will be necessary to revise the attached schedule accordingly.

It should be pointed out that golf rates were not recommended for adjustment by the Parks Board, as the Board believes that an increase in rates at this time would result in a greater reduction of golf played, and therefore a decrease in revenues. The non-resident differential should bring golf revenues to an appropriate level commensurate with costs of the golf operation.

I am pleased that no increases are proposed in the formulas for determining cultural art fees; programs and transportation for the handicapped; use of Gier, Kingsley and Miller Road community centers, Washington Park ice skating, use of Turner-Dodge House, day camp, use of picnic pavilions, Riverfront Park, and the volleyball club. It appears that these programs have generated sufficient revenues to cover the City's expenses and therefore not require any additional burden on the users.

With spring activity and athletic registrations just around the corner, your actions on the proposed fee schedule and on the non-resident fee differential are requested by March 9, 1981, in order that printing of registration forms can be completed to accept registrations during the latter half of the month.

I will be glad to provide staff to discuss these recommendations with the appropriate City Council committee.

Sincerely,
GERALD W. GRAVES,
Mayor.

Referred to Committee on Human Services.

February 25, 1981

Council President Lucile Belen and
Members of the Lansing City Council

10th Floor, City Hall

Lansing, Michigan 48933

Dear Council President and Members:

At the City Council meeting on Monday, February 23, 1981, Councilman James Blair attempted to scathe this administration for conducting a review of the applicability of Walter French School for use as a police building. Mr. Blair attempted to suggest that this review had some bearing on the decision of the Board of Education to close Walter French for school purposes.

I wish to set this matter straight. First of all, this entire Council is aware that the Lansing School District initiated this discussion with the City of Lansing, and not the other way around. By letter of December 5, 1980 (attached) Dr. Edward L. Remick, Director of Facility Planning and Development, wrote to the City Council and myself regarding disposition of Walter French as well as the Stephen A. Partington Center downtown. The original of this letter was given to the City Clerk for inclusion on the December 15, 1980 City Council agenda. Copies were concurrently sent to the Planning, Finance, and Police departments in an attempt to respond to Dr. Remick's request. A copy of the transmittal memo to those departments is attached.

At the December 15, 1980 Council Meeting, the letter was formally referred to the Mayor, the Committee on Public Properties, and the Planning Board (attached).

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When the matter was discunssed at the Committee on Public Properties and Safety meeting on Tuesday, December 16, 1980, Councilman Blair was noted as having an excused absence (as he so often has from this committee). The committee minutes of that date (attached) indicate on the subject of the Walter French and the Partington Center "The committee requested an Administrative recommendation on this matter." Those minutes were approved on December 23, 1980.

As various proposals and recommendations were filtered through the school district administration, it was not possible for City staff to so much as tour the Walter French property until Monday, February 2, 1980 — just three days prior to the Board of Education vote to close Walter French. The tour of that building was taken by Administrative Services Director David Purvis and Sam Clay and Bill Jipson of his staff, Police Cheif Richard Gleason, Deputy Police Chief Stan Burnett, and Police Commissioner Leonard McConnell, the tour being directed by Dr. Remick. On Monday, February 9, 1981, following the Board of Education's vote to close Walter French at the end of this school year, a meeting was conducted by my Administrative Assistant Steve Dougan, with the following in attendance: Gleason, Burnett, and Charles Reifsnyder of the Police Department; Police Commissioners McConnell and Russel Lawler; Larry Theisen of the Finance Department, and Clay of Administrative Services; and Jim Kzeski, Director of Building Safety and Development; and Jim Spackman of the Lansing Planning Department. At this meeting, the financial hardship of undertaking such a project at this time was discussed as well as the difficulty in taking a very solid school building and attempting to make major structural changes. Further, the discussion to close French immediately rather than phase it out over three years creates further difficulty in the City being serious about this inquiry.

The school district has not indicated by what deadline a response is required, nor has a price been established or trems, if any, to be considered. The school district is at present conducting an appraisal of the property to determine value.

None of this obviates the need for a police building. In the budget I recommended to you for the fiscal year ending June 30, 1979, I recommended and City Council adopted (Councilman Blair voting no) $1,000,000 for a new police building. That money was not carried forward, and in fact has been spent for other purposes. At approximately the same time, the planning firm Coquillard/Dolgner/Dundon/and Argenta of Southfield, Michigan, was contracted with City Council concurrence to develop recommendations and designs for a new police building. The recommendations developed by that firm led to the decision to request from the voters on the 1979 November election up to one mill for construction of a police building (Councilman Blair and Baker voting no—attached). Councilman Blair attempted repeatedly to undermine general City Council support of this project, and to undermine the efforts of a Blue Ribbon Citizens Committee supporting this project.

As that proposal was defeated, I reported to you in my State of the City Message of January 28, 1980, "Several members share in my disappointment of the defeat of Proposal A on the November ballot, and the Police Department, the Board of Commissioners, my staff and City Council must work together to address the needs for Police space in the future. This was a major planning task during 1979 and the City had a large investment in the planning process. We must now address the needs, existing capabilities and financial resources to properly deal with this very vital issue in the 1980's." (attached).

The need for a new police building is further dectated by Council policy established upon the City's purchase of the W. T. Grant Building, whereby the Council committed City staff in the Grant Building to be moved into the present police building space within five years. This would enable the Grant building to be returned to retail use in conjunction with development of the 100 Block.

The need for a larger, modern police facility which would meet all State and Federal regulations remains very real. I believe a superior facility may well result in superior public safety services being delivered to Lansing residents, and I stand committed to a new police building in the right place and at the right time. My staff is aware that now is not the right time for a new police building — the City simply cannot undertake such a massive unprogrammed financial burden. I do believe, however, that it is appropriate to at least initially review whether Walter French would fulfill the requirement of being in the right place. When opportunity knocks, it is foolish to leave the door closed.

I hope City Council realizes that nothing done by any staff person with the City of Lansing had any bearing whatsoever on the decision by the Board of Education to close Walter French. It is, however, my intention to respond to City Council's December 16, 1980 request for a recommendation at an appropriate time when all the information is pulled together. It's certainly my hope that Councilman Blair chooses to more regularly attend his committee meetings in the future so that he may be apprised on the project when a recommendation is forthcoming.

Finally, I must say that I am pleased when Council members take their very pressing time to attend meetings of City Boards. However, I am ashamed of the behavior exhibited by Councilman Blair in disrupting the Police Board meeting on Tuesday, February 17, 1981 to demand answers on this subject. I would certainly request in the future that Councilman Blair conduct himself in the gentlemen's manner which would be expected of any citizen at such a Board meeting.

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I have submitted an additional report from Police Chief Richard Gleason for your information, supporting the facts submitted herein.

Sincerely,

GERALD W. GRAVES,
Mayor.

Referred to Committee on Public Property and Safety.

## RESOLUTIONS

By the COMMITTEE OF THE WHOLE—

At a regular meeting of the City Council of the City of Lansing, Counties of Ingham, Eaton and Clinton, State of Michigan, held on the 2nd day of March, 1981, at 7:00 o'clock p.m. Michigan Time.

Present: Councilman Adado, Belen, Blair, Brenke, Gunther, Lindemann, McKane, Worthington.

Absent: None.

The following resolution was offered by the Committee of the Whole:

Whereas, the Board of Water and Light of the City of Lansing (the "Board") has recommended that the City borrow the sum of not to exceed Five Million Dollars ($5,000,000) and issue its notes therefore for the purpose of purchasing, acquiring, constructing, improving, enlarging, extending and repairing the facililites of the combined water, electric and steam utility system of the City; and

Whereas, this City Council concurs in the recommendation of the Board and deems it advisable and necessary for the public health, safety and welfare of the City and its inhabitants to authorize such borrowing for such purposes.

Now, Therefore, Be It Resolved by the City Council of the City of Lansing, as follows:

1. This Council hereby determines that it is necessary for the City to borrow the sum of not to exceed Five Million Dollars ($5,000,000) and issue its notes therefor in accordance with the provisions of Act No. 182, Public Acts of Michigan, 1971, as amended by Act No. 130, Public Acts of Michigan, 1972 and Act No. 155, Public Acts of Michigan, 1975, for the purpose of purchasing, acquiring, constructing, improving, enlarging, extending and repairing the facilities of the combined water, electric and steam utiliity system of the City. The aggregate amount to be borrowed pursuant to the authorization of this resolution and the amount to be borrowed at any one time shall be determined by the Board.

2. The notes shall be designated "City Utilities System Revenue Notes, Series 1981"; shall be dated as of the date or dates of their delivery to the purchasers thereof; shall mature as to principal in the amount of not to exceed Three Million Dollars ($3,000,000) on September 1, 1982 and in the amount of not to exceed Two Million Dollars ($2,000,000) on September 1, 1983; shall be in such denominations as shall be determined by the Board; shall be numbered in direct order of maturity from 1 upwards; shall not be subject to redemption prior to maturity; and shall be non-coupon notes bearing interest from their respective dates at a rate or rates to be determined by the Board upon the sale thereof payable on September 1, 1982 and, for notes maturing on September 1, 1983, also on September 1, 1983. The notes shall be registered as to principal and interest in the name of the holder on the books of the City to be maintained by the Director of the Finance Division of the Board and noted on the back of the notes. No transfer of the notes shall be valid unless made upon said books and noted on the back of the notes. Upon maturity principal and interest due on the notes shall be payable at the office of the Board, and for those notes maturing on September 1, 1983, the interest due September 1, 1982 shall be mailed to the registered holder at the address shown on the City's registration books.

3. The notes shall be sold at one or more private sales as shall be determined by the Board at such interest rates as shall be determined by the Board on behalf of the City. The sale of the notes shall be conditioned upon the delivery without expense to the purchasers of the unqualified approving opinion of Dickinson, Wright, McKean, Cudlip & Moon, attorneys of Lansing and Detroit, Michigan.

4. The Mayor and Clerk of the City shall execute the notes on behalf of the City by signing the same and causing the seal of the City to be affixed thereto. The Director of the Finance Division of the Board shall deliver the notes to the purchasers thereof upon receipt of the purchase price therefor. The proceeds of the notes shall be deposited in a bank or banks designated by the Board and shall be applied for the purposes set forth in Section 1 hereof, provided, however, that the proceeds of the notes shall not be used to defray any part of the cost of the project to be financed by the issuance of the City Utilities System Revenue Bonds, Series 1980, dated April 1, 1980 nor shall the proceeds of the notes be used to provide interim financing for any other project for which long-term financing in the form of bonds or other evidences of debt are to be sold.

5. The notes and the interest thereon shall not be general obligations of the City but shall be secured by and payable solely from the unencumbered revenues of the City's water, electric and steam utility system. The notes shall be subordinate to all outstanding City Utilities System Revenue Bonds issued in accordance with the subject to the provisions of Ordinance No. 18A of the City and any additional bonds which may be issued hereafter in accordance with and subject to the provisions of said Ordinance No. 18A. In addition, the

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City reserves the right to issue additional notes which shall be of equal standing with the notes authorized herein.

6. The notes shall be in substantially the following form:

UNITED STATES OF AMERICA
STATE OF MICHIGAN
CITY OF LANSING
COUNTIES OF
INGHAM, EATON AND CLINTON
CITY UTILITIES SYSTEM REVENUE
NOTE. SERIES 1981

No. ..... $.....

KNOW ALL MEN BY THESE PRESENTS that the CITY OF LANSING, Counties of Ingham, Eaton and Clinton, State of Michigan, hereby acknowledges itself to owe and for value received promises to pay to the registered holder hereof in lawful money of the United States of America the sum of

..... DOLLARS
(For notes maturing September 1, 1982)

on September 1, 1982 together with interest thereon from the date hereof until such date at the rate of ..... per cent (.....%) per annum, upon presentation and surrender of this note at the office of the Board of Water and Light of the City of Lansing in the City of Lansing, Michigan.

(For notes maturing September 1, 1983)

on September 1, 1983 together with interest thereon from the date hereof at the rate of ..... percent (.....%) per annum, said interest being payable on September 1, 1982 and thereafter at maturity. Interest due September 1, 1982 will be mailed to the registered holder at the address shown on the City's registration books. Prnicipal and interest due at maturity will be payable upon presentation and surrender of this note at the office of the Board of Water and Light of the City of Lansing in the City of Lansing, Michigan.

This note is issued pursuant to and in accordance with Act 182, Public Acts of Michigan, 1971, as amended. This note is one of a series of notes authorized to be used in an amount not to exceed Five Million Dollars ($5,000,000) pursuant to a resolution adopted by the City Council of the City of Lansing on ....., 1981. The principal of and interest on this note and the series of notes of which this is one are secured by and payable solely from the unencumbered revenues of the City's water, electric and steam utility system. This note and the series of notes of which this is one are subordinate to all outstanding City Utilities System Revenue Bonds issued in accordance with and subject to the provisions of Ordinance No. 18A of the City and any additional bonds which may be issued hereafter in accordance with and subject to the provisions of said Ordinance No. 18A. The City has reserved the right to issue additional notes of equal standing with this note and the series of notes of which this is one.

It is hereby certified, recited and declared that all acts, conditions and things required to exist, happen and be performed, precedent to and in the issuance of this note and the series of notes of which this is one, exist, have happened and have been performed in due time, form and manner, as required by law, and that the total indebtedness of the City, including this note and the series of notes of which this is one, does not exceed any constitutional, charter or statutory limitation.

IN WITNESS WHEREOF, the City of Lansing, Counties of Ingham, Eaton and Clinton, State of Michigan, by its City Council and Board of Water and Light, has caused this note to be signed in its name by its Mayor and City Clerk, and its corporate seal to be affixed hereto, all as of the 2nd day of March, 1981.

CITY OF LANSING:

By: .....
GERALD W. GRAVES,
Mayor,

By: .....
THEO FULTON,
City Clerk.

(SEAL)

Adopted: Yeas: Councilmen Adado, Belen, Blair, Brenke, Gunther, Lindemann, McKane, Worthington.

Nay: None.

STATE OF MICHIGAN )
) SS:
COUNTY OF INGHAM )
COUNTY OF EATON )
COUNTY OF CLINTON )

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City Council of the City of Lansing, Counties of Ingham, Eaton and Clinton, State of Michigan, at a regular meeting held on March 2, 1981 the original of which is on file in my office.

.....
THEO FULTON,
City Clerk.

Adopted by the following vote:

Unanimously.

## ZONINGS

By COUNCILMAN WORTHINGTON—

Whereas, it is deemed desirable to amend the Classification provided for in the Zoning Code of the City of Lansing, passed on the 13th day of November, 1958, in the following particulars, viz:

That property described as:

Z-1-81 — 500 S. Capitol Avenue,

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be re-zoned from "D-1" Professional Office District to "D" Apartment-Shop District and the "Map" be changed to indicate such transfer;

Therefore, be it resolved, that the City Clerk shall give at least fifteen days notice of a public hearing when all persons interested may attend and make any objections they may have to such proposed changes in said Zoning Code.

Resolved further, that such hearing shall be held at the Council Chamber in the City Hall on the 16th day of March, 1981, at 7:00 o'clock p.m., and that notice of such hearing be published in the official publication of said city, as required by law.

Adopted by the following vote:

Unanimously.

By COUNCILMAN WORTHINGTON—

Whereas, it is deemed desirable to amend the Classification provided for in the Zoning Code of the City of Lansing, passed on the 13th day of November, 1958, in the following particulars, viz:

That property described as:

Z-2-81 — 500 block Woodlawn Avenue,

be re-zoned from an Unzoned District to "J" Parking District and the "Map" be changed to indicate such transfer;

Therefore, be it resolved, that the City shall give at least fifteen days notice of a public hearing when all persons interested may attend and make any objections they may have to such proposed changes in said Zoning Code.

Resolved further, that such hearing shall be held at the Council Chamber in the City Hall on the 16th day of March, 1981, at 7:00 o'clock p.m., and that notice of such hearing be published in the official publication of said city, as required by law.

Adopted by the following vote:

Unanimously.

By WAYS AND MEANS COMMITTEE—

Resolved by the City Council of the City of Lansing:

That the following transfers be approved:

$ 750.00 from Oak Park Garage—Equipment
A/C 101-693-000-977

2,500.00 from Parks—Equipment
A/C 101-718-000-977

900.00 from Golf Equipment
A/C 101-721-000-977

3,350.00 from Forestry—Equipment
A/C 101-781-000-977

2,450.00 from Parks—Gasoline Reserve
A/C 101-692-000-751

$9,950.00 to Parks—Equipment Maintenance
A/C 101-718-300-933

$3,838.00 from General Fund Fund Balance
A/C 101-000-000-390

$3,838.00 to Reserve for Contingency
A/C 101-941-000-963

I hereby certify that this is a properly drawn and eligible transfer.

JAMES W. DOWSETT,
Finance Director.

Approved:

TERRY J. McKANE,
WILLIAM A. BRENKE,
JACK D. GUNTHER,
Ways and Means Committee.

By COUNCILMAN McKANE—

That the transfer of funds in the amount of $9,950.00 be removed from the report and referred back to the Committee on Ways and Means.

Carried.

The following vote was taken on the transfer of funds for $3,838.00.

Adopted by the following vote:

Unanimously.

## INTRODUCTION OF ORDINANCE(S)

The following ordinance(s) of the City of Lansing, Michigan, providing that the Code of Ordinances be amended by:

Adding a new section to be numbered 36-116.7 to provide for an amendment to the amended physical development plan for the Neighborhood Development Area No. 3 within the City of Lansing for acquisition of property at 1539 N. High St.

was introduced by Councilman Worthington read a first and second time by its title(s) and referred to the Committee on Physical Development.

## ORDINANCES

By COUNCILMAN LINDEMANN—

The Committee reported that it had considered an ordinance providing, that the Code of Ordinances, City of Lansing, Michigan, be amended by:

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Repealing of Chapter 17B in its entirety being sections 17B-1 through 17B-8 of the Code of Ordinances and declaring same to be null and void and of no effect for the purpose of updating and strengthening provisions concerning the Human Relations Board.

Adoption of Chapter 17B of the Code to provide for a Human Relations Board, General Functions and Duties of the Human Relations Board. Prohibition against Discrimination and provision for equal opportunity by contractors and employers doing business with the City of Lansing, providing for prohibition against discrimination by City Departments or Employees and providing for an affirmative action officer and responsibilities thereof.

and recommended that the ordinances be passed.

Carried.

### ORDINANCE NO. 587

By COUNCILMAN LINDEMANN—

Resolved by the City Council of the City of Lansing, that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by repealing of Chapter 17B in its entirety, being sections 17B-1 through 17B-8 of the Code of Ordinances and declaring same to be null and void and of no effect for the purpose of updating and strengthening provisions concerning the Human Relations Board, be placed on order of immediate passage.

By COUNCILMAN LINDEMANN—

Resolved by the City Council of the City of Lansing, that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan be amended by repealing of Chapter 17B in its entirety, being sections 17B-1 through 17B-8 of the Code of Ordinances and declaring same to be null and void and of no effect for the purpose of updating and strengthening provisions concerning the Human Relations Board, be now passed.

Adopted by the following vote:

Unanimously.

### ORDINANCE NO. 587

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, PROVIDING FOR THE REPEAL OF CHAPTER 17B IN ITS ENTIRETY, BEING SECTIONS 17B-1 THROUGH 17B-8, OF THE CODE OF ORDINANCES, CITY OF LANSING, MICHIGAN, AND DECLARING SAME TO BE NULL AND VOID AND OF NO EFFECT FOR THE PURPOSE OF UPDATING AND STRENGTHENING PROVISIONS CONCERNING THE HUMAN RELATIONS BOARD.

The City of Lansing Ordains:

Section 1. That Chapter 17B in its entirety, being Sections 17B-1 through 17B-8 of the Code of Ordinances, City of Lansing, is hereby repealed and declared null and void and of no effect.

### ORDINANCE NO. 588

By COUNCILMAN LINDEMANN—

Resolved by the City Council of the City of Lansing, that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by providing that Chapter 17B of the Code be adopted to provide for a Human Relations Board, General Functions and Duties of the Human Relations Board, Prohibition against discrimination and provision for equal opportunity by contractors and employers doing business with the City of Lansing, providing for prohibition against discrimination by city departments or employers and providing for an affirmative action officer and responsibilities thereof, be placed on order of immediate passage.

By COUNCILMEN McKANE and WORTHINGTON—

Make new Article I to read "This ordinance shall be known as the Richard D. Letts, Human Relations Ordinance of 1981."

That the ordinance be amended as follows:

In Section 17B-2 in (b) in line 16 insert after the word "to," "but not limited to".

In Section 17B-9 line one (1)—page 7—place a comma after "status" and change to read "political orientation or handicap" change same in line 10, and line 18.

In Section 17B-10 under (b) change "investigate" to "investigating", under (c) change "develop" to "developing", under (d) change "develop" to "developing" and under (e) change "review" to "reviewing" and "forward" to "forwarding".

Remove (f) and make a paragraph to read:

"The Mayor shall require that all city departments, boards, commissions, agencies, officers and employees shall render whatever reasonable assistance and information to the affirmative action officer as is requested."

The amendments were adopted as follows:

Unanimously.

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By COUNCILMAN LINDEMANN—

Resolved by the City Council of the City of Lansing, that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan be amended by providing that Chapter 17B of the Code be adopted to provide for a Human Relations Board, General Functions and Duties of the Human Relations Board, Prohibition against discrimination and provision for equal opportunity by contractors and employers doing business with the City of Lansing, providing for prohibition against discrimination by city departments or employees and providing for an affirmative action officer and responsibilities thereof, be now passed as amended.

Adopted by the following vote:

Unanimously.

The following is the corrected ordinance.

**ORDINANCE NO. 588**

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, PROVIDING THAT CHAPTER 17B OF THE CODE OF ORDINANCES BE ADOPTED TO PROVIDE FOR A HUMAN RELATIONS BOARD, GENERAL FUNCTIONS AND DUTIES OF THE HUMAN RELATIONS BOARD, PROHIBITION AGAINST DISCRIMINATION AND PROVISION FOR EQUAL OPPORTUNITY BY CONTRACTORS AND EMPLOYERS DOING BUSINESS WITH THE CITY OF LANSING, PROVIDING FOR PROHIBITION AGAINST DISCRIMINATION BY CITY DEPARTMENTS OR EMPLOYERS AND PROVIDING FOR AN AFFIRMATIVE ACTION OFFICER AND RESPONSIBILITIES THEREOF.

The City of Lansing Ordains:

Section 1. That Chapter 17B of the Code of Ordinances of the City of Lansing be adopted to read as follows:

Article I. This ordinance shall be known as the Richard D. Letts Human Relations Ordinance of 1981.

Article II. **Board established: membership.**

Sec. 17B-1. There is hereby created and established a board to be known as the Human Relations Board, consisting of twelve (12) members to be appointed by the Mayor with the approval of the City Council. One of these members shall be designated by the Board as chairperson. The members of the Human Relations Board, as nearly as possible, shall be representative of the diverse groups within the city. They shall serve without compensation. Of the twelve (12) members first appointed, one-fourth (¼) shall be for one year, one-fourth (¼) for two (2) years; one-fourth (¼) for three (3) years and one-fourth (¼) for four years. Thereafter, all appointments to the Board shall be for a term of four (4) years. In the event of death or resignation of any member, a successor shall be appointed to serve for the unexpired term for which such member had been appointed in the manner heretofore described.

Sec. 17B-2. **General duties of board.**

The Human Relations Board shall:

(a) Foster mutual understanding and respect among all groups in the city. It shall discourage discriminatory practices among any such groups, or any of its members. It shall cooperate with city, state and federal agencies as well as with non-governmental organizations; it shall examine and make such studies in any field of human relations as in the judgment of the human relations board will aid in effectuating its general purpose.

(b) It shall advise and recommend methods for furnishing equal service to all residents of this city; it shall advise on the enforcement of Section 1-302 of the Lansing City Charter; it shall develop pamphlets for city employees to study which prescribe methods of dealing with intergroup relations which develop respect for equal rights and which result in equal treatment without regard to but not limited to race, color, creed, national origin, ancestry, sex, age, height, weight, handicap, marital status or political orientation, assuring fair and equal treatment under law to all ciitzens; it shall give counsel and advice on how to protect the rights of all persons to enjoy public accomodations and facilities, and to receive equal treatment from all holders of contracts or privileges from the city, and advise the best method of manitaining equality of opportunity for employment and advancement in the city government.

(c) It shall study and examine problems arising between groups in the City of Lansing which may result in tensions, discrimination or prejudices on account of but not limited to race, color, creed, national origin, ancestry, sex, age, height, weight, handicap, marital status and political orientation.

(d) It shall formulate and carry out programs of community education and information with the object of discouraging and eliminating any such tensions, prejudice or discrimination.

(e) It shall examine, and if it deems advisable, make public reports on any complaints of discrimination, tensions or prejudice filed with or referred to it.

(f) It shall further issue such publications and reports of examinations and research as in its judgment will tend to minimize or eliminate prejudice, intolerance, race or area tensions and discrimination or which will promote or tend to promote good will.

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(g) It shall secure the cooperation of various racial, religious, nationality and ethnic groups, formal or informal groupings in the community, veterans' organizations, fraternal, benevolent and service groups, in educational campaigns devoted to the need for eliminating group prejudice, racial or area tensions, intolerance, and discrimination.

(h) It shall cooperate with other public governmental or private agencies in developing courses of instruction for presentation in public and/or private schools, in public libraries, or any other suitable place, showing and illustrating the contributions of various religious, nationalities, ethnic and other groups to the culture, tradiiton and progress of our city, state and nation, and further showing the deplorable effects and menace of prejudice, intolerance, discrimination, racial and area tensions.

(i) It shall cooperate with federal, state and city agencies and departments which request advice in carrying out projects within their respective authorities to eliminate intergroup tensions, and to promote inter-group harmony. It shall recommend to the Mayor and to the City Council measures, including legislation, aimed at improving the ability of the various city departments and agencies to insure protection of any and all persons and groups from discrimination because of but not limited to race, color, creed, national origin, ancestry, sex, height, weight, handicap, marital status and political orientation. It shall advise any official or competent authority on any matters involving civil rights or the violation thereof or the occurrence of tensions, prejudice or discrimination that may come to its attention.

(j) It shall prepare and submit reports to the Mayor and City Council of its activities. At least one report shall be made annually.

**Sec. 17B-3. Board meeting; adoption of rules; personnel and committees; city to furnish faciliites.**

The Human Relations Board shall meet not less than once a month, and shall adopt, by majority rule, such rules as it shall deem expedient for the conduct of its business. It shall elect a secretary and such other officers as it shall deem necessary. The chairperson thereof shall appoint such committees as the rules of the Human Relations Board may provide, and such other committees as shall from time to time be found necessary. The Mayor may assign to the Human Relations Board office space, facilities and appropriate staff as determined necessary by the City Council.

**Sec. 17B-4. Board to examine complaints, conduct hearings, make studies.**

The Human Relations Board shall receive and examine complaints of tensions, practices of discrimination and acts of prejudice against any person or group because of but not limited to race, color, creed, national origin, ancestry, sex, age, height, weight, handicap, marital status or political orientation, and may conduct private or public hearings in accordance with state law with regard thereto; carry on studies to obtain factual data to ascertain the status and treatment of racial, religious, ethnic and other groups or persons in the city, and the best means of progressively improving human relations in the city.

**Sec. 17B-5. Failure to furnish information to board**

The gathering of factual information is vital to the human relations board in the performance of its duties. In the event any person or persons find it impractical to supply such information to the Human Relations Board, the Board may in its discretion make its report on its failure to receive adequate information to the Mayor.

**Article III. Contracts with the city.**

**Sec. 17B-6. Contracts with the city to contain non-discrimination clause.**

All contracting agencies of the city or any department thereof, shall include in all contracts hereafter negotiated or renegotiated by them, for and on behalf of the city, a provision obligating the contractor not to discriminate against any qualified employee or qualified applicant for employment with respect to hire, terms, conditions or privileges of employment or a matter directly or indirectly related to employment because of age, race, color, religion, national origin, sex, height, weight, handicap, marital status, or political orientation, and shall require said contractor or employer to include a similar provision in all subcontracts. Contractor or employer as used in the chapter, is hereby defined and declared to be only employers of one (1) or more employees. The word "employee" whenever used in the chapter is hereby defined and declared not to include an employee in domestic service or an employee of an organized religion congregation, or an institution limited in its membership to persons of a single religious faith.

**Sec. 17B-7. Equal opportunity by contractors and employers providing goods and/or services to the City of Lansing.**

All contractors and employers who have provided goods and/or services to the City of Lansing totalling Five Thousand Dollars ($5,000.00) or more in any calendar year, must adhere to the principles and policies of equal opportunity, as mandated by the City of Lansing affirmative action plan as amended. The Mayor or a designee shall be responsible for monitoring compliance with these provisions. Failure to comply with this provision or to cooperate in all respects with the contract compliance authority may preclude the contractors or employers from conducting further business with the city.

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Sec. 17B-8. **Compliance with federal equal opportunity and federal labor standards provisions on federally-assisted projects.**

All contractors and employers participating in federally-assisted projects must adhere to the applicable federal equal opportunity and federal labor standards provisions as mandated by the City of Lansing affirmative action plan as amended. The Mayor or a designee shall be responsible for monitoring compliance with these provisions.

Article IV. **Discrimination by City departments or employees forbidden.**

Sec. 17B-9. It shall be unlawful for any department of the city or any city official or agent or employee for and on behalf of the city to wilfully refuse to employ, or to discharge any person of this city otherwise qualified because of race, color, religion, national origin, age, sex, height, weight, marital status, political orientation or handicap except where the same is a bona fide job requirement or for any other cause not reasonably related to the accomplishment of a legitimate governmental purpose; to discriminate for the same reasons in regard to tenure, terms or conditions of employment; to deny promotion or increase in compensation solely for these reasons; to adopt or enforce any rules or employment policy which discriminates between employees on account of race, color, religion, national origin, age, height, weight, marital status, political orientation or handicap, except where the same is a bona fide job requirement or for any other cause not reasonably related to the accomplishment of a legitimate governmental purpose; to seek such information as to any employee as a condition or employment except in cooperation with federal or state authorities in furtherance of national security; or to penalize any employee or discriminate in the selection of personnel for training solely on the basis of race, color, religion, national origin, sex, age, height, weight, marital status, political orientation or handicap except where the same is a bona fide job requirement or for any other cause not reasonably related to a legitimate governmental purpose.

Article V. **Affirmative action officer and responsibilities.**

Sec. 17B-10. There is hereby created an affirmative action program within the City of Lansing. The Mayor or a designee, hereafter referred to as the affirmative action officer for the city, shall be responsible for administering and implementing the affirmative action plan for the city.

The affirmative action officer shall develop and implement affirmative action programs including but not limited to:

(a) Reviewing city personnel policies to ensure compliance with the city affirmative action policies. In the event the affirmative action officer concludes a hire or promotion is in violation or may be in violation of city affirmative action policies, the affirmative action officer shall have the power to suspend the personnel transaction for a period of ten (10) days. The Mayor or a designee shall receive all pertinent data regarding the hire or promotion and have final authority to determine whether such a hire or promotion complies with city affirmative action policies;

(b) Investigating all complaints of discrimination in employment within the city which are referred to the affirmative action officer if that person is other than the Mayor.

The affirmative action officer shall report to the Mayor the results of such investigation;

(c) Developing affirmative action policy recommendations including an affirmative action plan.

(d) Developing and reviewing the procedures for assuring compliance to affirmative action policies and plan;

(e) Reviewing procedures for recruiting minorities within city employment and forwarding results of said review and any recommendations to the Mayor.

The Mayor shall require that all city departments, boards, commissions, agencies, officers and employees shall render whatever reasonable assistance and information to the affirmative action officer as is requested.

Sec. 17B-11. **Severability.** All sections of this chapter are hereby declared to be separated and should any section or provision or part thereof of this chapter be declared unconstitutional or invalid, the same shall not affect the validity of the chapter as a whole or any part thereof, other than the part so declared to be unconstitutional or invalid.

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance shall take effect thirty (30) days from its passage unless given immediate effect by the City Council.

By COUNCILMAN ADADO—

Resolved by the City Council of the City of Lansing:

That the rules of the Council be waived for the purpose of presenting items that are not listed on the agenda.

Carried.

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Letter from Lansing/Tri County/Regional Manpower Administration in regard to a revised FY 81 budget which will result in a reduction of available Title IID and Title VI Public Service Employment funds.

Referred to Mayor.

**REMARKS BY THE MAYOR'S EXECUTIVE ASSISTANT**

No comment.

**REMARKS BY THE CITY COUNCIL**

Fred Porter spoke.

Billie Gladstone spoke.

Dick Letts spoke.

Lou Thom, 222 N. Sycamore St., spoke.

Gregory Byrd, 648 S. Foster St., spoke.

That this meeting stand adjourned.

Carried.

Council adjourned at 9:15 P.M.

THEO FULTON,
City Clerk.

Lansing, Michigan

March 2, 1981

F/B

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CITY CLERK'S OFFICE
Room 921, City Hall
Lansing, Michigan 48933

Address Correction Requested

BULK RATE
U. S. POSTAGE
PAID
Permit No. 1461
Lansing, Michigan



# OFFICIAL PROCEEDINGS OF
# THE CITY COUNCIL
## OF THE CITY OF LANSING

## Proceedings, March 9, 1981

CITY COUNCIL ROOMS
Lansing, Michigan
March 9, 1981

The City Council of the City of Lansing, Michigan, met in regular session and was called to order by President Belen.

Present: Councilmen Adado, Belen, Blair, Brenke, Gunther, Lindemann, Worthington—7.

Absent: Councilman McKane—1.

The Clerk anounced that a quorum of the Council was present.

Invocation was given by Councilman Lindemann.

Pledge of Allegiance was led by Councilman Lindemann.

### PUBLIC HEARING
### NDA NO. 3 PLAN AMENDMENT

City Clerk Fulton: This is the time set for the public hearing on the proposed amendment to the physical development plan for the Northside Neighborhood Development Area No. 3. This hearing is to consider an amendment prepared pursuant to the requirements of Michigan Act 344 of the Public Acts of 1945, as amended.

President Belen: The Clerk will read.

City Clerk Fulton: The proposed amendment contains provisions for the acquisition of one residential structure, at 1539 N. High Street, in NDA No. 3.

President Belen: Mr. Bruce Deason of the Lansing Planning Department will now proceed with the introduction of exhibits.

Mr. Deason: President Belen, Members of the City Council, ladies and gentlemen, this public hearing regarding the acquisition of 1539 N. High Street is being held in accordance with Michigan Act 344 of the Public Acts of 1945, as amended, an act known as the Blighted Areas Act. For the purposes of the record, I would like to introduce seven exhibits regarding the background of this property and activities that have occurred in preparation for this hearing.

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(It is not necessary to read each of the exhibits, but their description follows:

**Exhibit No. 1** is a certified copy of an excerpt from the Citizens' District Council No. 3 minutes of December 16, 1980 in which the members tentatively approve the acquisition of the property at 1539 N. High Street.

**Exhibit No. 2** is a memo from the Mayor to the City Council, dated January 22, 1981 and presented to the council on January 26, 1981 in which he concurs with the Planning Board's recommendation, as stated in an attached letter dated January 21, 1981, that the property at 1539 N. High be acquired.

**Exhibit No. 3** is background information on the proposed acquisition property, 1539 N. High Street, in Neighborhood Development Area No. 3.

**Exhibit No. 4** is a copy of the Resolution of City Council setting March 9, 1981 as the date of the Public Hearing to consider the proposed plan amendment.

**Exhibit No. 5** is a certified copy of the notice of Public Hearing that was published in the Lansing **State Journal** on February 15, 1981.

**Exhibit No. 6** is an affadavit affirming that notice of the Public Hearing was distributed door-to-door in the district and development areas of Neighborhood Development Area No. 3 on February 25, 1981.

**Exhibit No. 7** is an affadavit affirming that notice of the Public Hearing was mailed to residents in the district and development areas in Neighborhood Development Area No. 3 on February 23, 1981.)

The structure at 1539 N. High Street is a cement block house which rests directly on a cement slab. Unstable soil conditions have caused some shifting of the house. In addition, the house would require all new plumbing and fixtures, windows, furnace, and extensive electrical work. The structure would require an estimated $12,464 for Code repairs plus an estimated $2,713 for rehabilitation standard repairs. The structure is assessed for $4,800 which indicates an approximate market value of $19,200. Therefore it is recommended that the property be acquired, the structure demolished, and the residents relocated.

President Belen: Anyone in the audience who would like to comment on the proposed acquisition of the property at 1539 N. High Street in Neighborhood Development Area No. 3, the demolition of the structure on that property, and the relocation of the residents, please step to the microphone, state your name, address, and comments, keeping in mind that there may be other people who would like to be heard.

***Public Comment on NDA No. 3 Plan Amendment***

President Belen: If there are no further comments, then the Planning Department is directed by the Chair to forward this Amendment to the Northside Neighborhood Development Area No. 3 Plan to Citizens' District Council No. 3 for that group's review. Pursuant to Public Act 344, the District Council's action must be completed during the 10 day period ending on March 19, 1981.

Marjorie Hause, owner of property at 1435 New York Avenue, spoke.

Referred to Committee on Physical Development.

**THE PUBLIC MAY NOW ADDRESS THE CITY COUNCIL ON ANY OF THE FOLLOWING ITEMS LISTED ON THE AGENDA: COMMUNICATIONS AND PETITIONS, COMMITTEE REPORTS, REPORTS OF CITY OFFICERS AND BOARDS, AND RESOLUTIONS. YOU MAY SPEAK ONLY FOR 3 MINUTES ON ANY ONE ITEM.**

Orrin Sharp, 1646 Wellington Rd., spoke re: communication 15A and Mayor's letter 4c.

## COMMUNICATIONS AND PETITIONS

The following claims have been filed:

David and Denese Farhat for damage to mailbox by a city snow plow.

G. Althea Gibson for damage to automobile due to pot hole.

Terri Ann Gregurek for damage to automobile due to pot hole.

Vera C. Libby for damage to rotary mower due to uncovered ground wire.

Mrs. Howard Gordon for injury sustained due to raise in sidewalk.

Laura Anne VanCamp for bill received by Mercy Ambulance Service for transportation to Hospital.

Referred to Mayor, City Attorney.

Letter from William E. Rheaume, Attorney for Edward Paul Davis, in regard to submitting a notice to file claim for false imprisonment.

Referred to Mayor, City Attorney.

Petition filed for rezoning:

Z-9-81 —

Lots 4 and 5, Eglewood Park, City of Lansing, Ingham County, Michigan, from "C" Two Family Residential District to "F" Commercial District — 806 Wset Saginaw St.

Referred to Mayor, Planning Board.

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The Roary Corporation submits:

Preliminary Plat of Valencia View.

Special Use Permit to build in the flood plain (N.W. corner of Aurelius Rd. and Hoyt Ave.).

Referred to Mayor, Planning Board.

Liquor Control Commission submits request from Mustang, Inc., for transfer of location of 1980 Class "C" license with dance permit at 1213-1215 Turner St. to 601 West Saginaw St.

Referred to Mayor, Committee on General Services.

Ingham Medical Center's Employee Services Association submits request for special 24-hour liquor permit for March 20, 1981 — National Guard Armory.

Referred to Committee on General Services.

Duncan Investment Corp. files application for a Commercial Facilities Exemption Certificate for property at 530 S. Pine St.

Referred to Mayor, Economic Development Corporation, Committee on Economic Development.

Request from Great Lakes Real Estate Trust for the establishment of a Commercial Redevelopment District at Logan Center — N.W. corner of Holmes Rd. and Logan St.

Referred to Mayor, Economic Development Corporation, Committee on Economic Development.

Letter from Richard C. Bates, M.D., offering property to the city for sale of 1124 Kingsley Ct.

Referred to Mayor, Planning Board.

Notice from Michigan State University Crew Team of Intent to hold their second annual Great Lakes Invitational Sprints to be held on May 16, 1981.

Referred to Mayor, Committee on Public Property and Safety.

Letter from Gary and Susan Bogart requesting reimbursement of money for special assessment for property at 1010 McCullough St.

Referred to Mayor, City Attorney.

Michigan Public Service Commission submits notice of hearing on the application of Michigan Bell Telephone Co. for increase certain of the system service charges and feature package replacement charges.

Received and placed on file.

Consumers Power Company submits notice of hearing to be held March 9, 1981 in reflect in monthly billings.

Received and placed on file.

Letters from Orrin E. Sharp relative:

Stupidity vs Commonsense in Labor Negotiations.

Referred to Mayor, Committee on General Services.

The Lansing Housing Commission and Senior Citizens.

Referred to Mayor, Committee on Human Services.

Letter from Antonio J. A. Pido submitting an outline of a proposal in regard to city employment.

Referred to Mayor, City Attorney.

## MAYOR'S EXECUTIVE ASSISTANT COMMENTS ON ANY ITEM ON THE AGENDA

Mr. Black spoke on Mayor's letters:

4c—Decision by Arbitrator on grievances filed by Lansing non-supervisory Police Officers.

4h—Low income family housing.

The COMMITTEE ON PHYSICAL DEVELOPMENT, to whom was referred the rezoning petition Z-53-79 for property at North of Skye Road from "CUP" Community Unit Plan District to a "A" One Fam-

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ily Residential and a "DM-1" Multiple Family Dwelling District, reports as follows:

That said rezoning be approved.

Signed:

LUCILE BELEN,
WILLIAM A. BRENKE,
SIDNEY P. WORTHINGTON,
Committee on Physical Development.

By COUNCILMAN WORTHINGTON—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

The COMMITTEE ON PHYSICAL DEVELOPMENT, to whom was referred the rezoning petition Z-41-80 — 3223 West Mt. Hope Avenue, from "A" One Family Residential District to "C" Two Family Residential and "DM-1" Multiple Family Dwelling Districts, reports as follows:

That said rezoning be approved.

Signed:

SIDNEY P. WORTHINGTON,
LUCILE BELEN,
WILLIAM A. BRENKE,
Committee on Physical Development.

By COUNCILMAN WORTHINGTON—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

## REPORTS OF CITY OFFICERS AND BOARDS

March 6, 1981

President Belen and Members
of the Lansing City Council

Re: Workers Compensation Redemption—
Francis Perry

Dear President Belen and
Members of City Council:

In accordance with Article IV, Section 4-304.7 of the Lansing City Charter, this office recommends settlement of the above captioned matter by redeeming the City's liability,

On October 4, 1979, Mr. Perry filed a petition for Workers Disability Compensation benefits alleging bronchial and pulmonary disability caused by exposure to pollutants in the asphalt plant and disability of the left knee caused by work related injuries. This matter was scheduled for trial on January 22, 1981. At the time of trial had petitioner prevalied, he would have been entitled to seventy seven (77) weeks of disability compensation benefits which would have totaled $12,320.00. In addiiton, petitioner would be entitled to $160.00 per week plus rehabilitation benefits and reasonable medical expenses for so long as his disability continued after the trial date.

Medical depositions were taken, two of which indicated that Mr. Perry's employment may have exacerbated his pre-existing pulmonary and knee pathologies. In view of the potential liability and the uncertainty of litigation, this office discussed settlement wtih petitioner's attorney. As a result of lengthy negotiations the sum of $5,100.00 was tentatively agreed upon to redeem the liability. This money also includes settlement of an interest asserted by Blue Cross & Blue Shield of Michigan. The proposed redemption of liability will effectively terminate the City's future exposure under the Workers Disability Compensation Act for weekly benefits, vocational rehabilitation benefits and reasonable necessary medical expenses for the sum of $5,100.00.

In view of the foregoing, it is this office's recommendation that the City of Lansing's liability in this matter be redeemed in the fashion outlined above.

Respectfully submitted,

STEPHEN R. SAWYER,
City Attorney.

By COUNCILMAN ADADO—

That we concur in the recommendation of the City Attorney.

Carried.

March 5, 1981

Mayor Gerald W. Graves,

Council President Lucile Belen and
Members of the City Council

Re: Logan Center
EDC Project

Dear Mayor Graves and
City Council Members:

We are forwarding to you a resolution approved by the Lansing Economic Development Corporation Board of Directors of action taken at a regular meeting held on March 4, 1981, approving a Letter of Inducement, Designation of Project Area and Designation of Bond Counsel for the Logan Center EDC Project. Therefore, it will be necessary for you to appoint two (2) Temporary Trustees to this project.

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The applicant is asking for approximately Six Million Dollars ($6,000,000) in EDC bonding and the Economic Development Corporation is in the process of developing a Project Plan to be presented to you at a future date.

In your deliberation to designate a Project Area, we would recommend, as pointed out in our resolution, that you define the Project District Area only that land described in Exhibit A in the rseolution.

Also, inasmuch as there is no residential area to be affected by the Project Plan, we believe that it is not necessary to establish a Project Citizens District Council.

Sincerely yours,

EMERSON B. OHL,
Executive Director.

Referred to Committee on Economic Development.

March 5, 1981

Mayor Gerald W. Graves,

Council President Lucile Belen
and City Council Members

Re: Speaker-Hines & Thomas, Inc.
EDC Project

Dear Mayor Graves and
City Council Members:

We are forwarding to you a resolution approved by the Lansing Economic Development Corporation Board of Directors of aciton taken at a regular meeting held on March 4, 1981, approving a Letter of Inducement, Designation of Project Area and Designation of Bond Counsel for Speaker-Hines & Thomas, Inc. Therefore, it will be necessary for you to appoint two (2) Temporary Trustees to this project.

The applicant is asking for approximately Four Million Five Hundred Thousand Dollars ($4,500,000) in EDC bonding and the Economic Development Corporation is in the process of developing a Project Plan to be presented to you at a future date.

In your deliberation to designate a Project Area, we would recommend, as pointed out in our resolution, that you define the Project District Area as one and the same as the Project Area.

Also, inasmuch as there is no residential area to be affected by the Project Plan, we believe that it is not necessary to establish a Project Citizens District Council.

Sincerely yours,

EMERSON B. OHL,
Executive Director.

Referred to Committee on Economic Development.

March 9, 1981

President Belen, Mayor Graves and
Members of City Council

Lansing, Michigan

Dear Mayor Graves and Colleagues:

It is with extreme pleasure that I announce to you the official ground breaking ceremony for the William A. Brenke River Sculpture/Fish Ladder.

On Thursday, March 12th at 10:00 in the morning in Burchard Park adjacent to the North Lansing Dam, the Brown Brothers Construction Company will officially commence construction of the Fish Ladder for which we have all been waiting.

As you know, this project has been in the planning stages for many years and on several occasions there was doubt as to its completion. Now, it is really going to happen.

Please join me and the others who have been instrumental, on the 12th to witness the realization of a dream.

Sincerely,

WILLIAM A. BRENKE,
Councilman - Second Ward.

Received and placed on file.

March 3, 1981

Council President Lucile Belen and Members
of the Lansing City Council

10th Floor, City Hall

Lansing, Michigan 48933

Dear Council President and Members:

Attached please find a copy of a communication received from Sandra W. Hearns of the Planning Department, regarding the resignation of Georgia Carson from Citizens' District Council No. 2, which is self-explanatory.

In accordance with the Bylaws of the CDC, the position of Ms. Carson is hereby declared vacant. A replacement will be forwarded to you upon completion of the selection process by the CD staff.

Sincerely,

GERALD W. GRAVES,
Mayor.

Referred to Committee on Physical Development.

DATE: 2/27/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

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SUBJECT: Submission of attachd correspondence from the Michigan Civil Rights Commission. Re: Notice of Disposition—Donald Isom v Lansing Police Department.

The attached correspondence is submitted for your information.

GERALD W. GRAVES,
Mayor.

Received and placed on file.

March 4, 1981

Honorable Council President Lucile Belen and Members of the Lansing City Council

10th Floor, City Hall

Lansing, Michigan 48933

Dear Council President and Members:

The purpose of this letter is to inform you that the Arbitrator has recently rendered a decision with regard to the grievances filed by a number of Lansing Non-Supervisory Police Officers following the postponement of their leave days in response to the potnetial Potter Park Smoke-In scheduled to have occurred in April of 1980.

The Arbitrator has determined that management was entirely within its rights, under the contract, to so postpone such leave days without either the obligation to pay overtime or to give individual employees an option of receiving overtime payment or the additional day off.

It is my hope that this information will be of value to you should you again, for whatever reason, be made to feel as if you must take a position with regard to labor managerent matters which, under the Charter, are within the purview of this office and as delegated to the office of the Personnel Director.

Sincerely,

GERALD W. GRAVES,
Mayor.

Referred to Committee on General Services.

DATE: 3/3/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Administrative Services Director and the Parks Director. Re: BWL Well House/North Lansing.

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Public Property and Safety.

DATE: 2/27/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Submission of attached correspondence to Michigan State Housing Development Authority. Re: Brisbin Park Apartments.

The attached correspondence is submitted for your information.

GERALD W. GRAVES,
Mayor.

Received and placed on file with copy to the Committee on Physical Development.

DATE: 3/4/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Submission of attached correspondence from the Parks Director. Re: Park Trash Compactor.

The attached correspondence is submitted for your information.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Ways and Means.

DATE: 2/27/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Public Service Director. Re: Westwood Park No. 2, Deletion of Sidewalk, Curb and Gutter.

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Physical Development.

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DATE: 3/4/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Attached communication to the Director of the Regional FHA Office regarding Low Income Family Housing.

The attached is forwarded to you for your information.

GERALD W. GRAVES,
Mayor.

Received and placed on file with copy to the Committee of the Whole and Committee on Human Services.

DATE: 3/4/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Submission of attached correspondence from the Mayor's Transportation Advisory Committee. Re: Report on Truck Access to the Vacant Industrially Zoned Parcels in the City of Lansing.

The attached correspondence is submitted for your information.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Public Property and Safety.

March 4, 1981

Council President Lucile Belen and
Members of the Lansing City Council

10th Floor, City Hall

Lansing, Michigan 48933

Dear Council President and Members:

Please find attached a communication from the Lansing Planning Board regarding the Board's study of possible disposition of Irving Park (Act-40-80), which is located at the corner of Pennsylvania Avenue and Fayette Street. The Board "found no evidence that Irving Park was unsuitable for use as parkland."

I cannot concur with the recommendation of the Planning or Parks Boards in the review. The property is only approximately 13,800 square feet in size (.31 acres) and has no park amenities such as benches, tables, or play equipment. There are three large pine trees on the property, which is located across from Trager Park, Potter Park and Sycamore Park. These three larger parks fulfill the needs of the adjacent neighborhoods. The property was not acquired for park purposes and has never been dedicated as park property. No record is known as to how the property acquired the name Irving Park.

In keeping with the spirit of the real property disposition ordinance, it is my recommendation that any proceeds from sale of this property should be restricted to park development. Thus, disposition of this property would be to the benefit of the entire parks system. I submit this for your action.

Sincerely,

GERALD W. GRAVES,
Mayor.

Referred to Committee on Public Property and Safety.

March 4, 1981

Council President Lucile Belen and
Members of the Lansing City Council

10th Floor, City Hall

Lansing, Michigan 48933

Dear Council President and Members:

Please find attached a communication from Parks and Recreation Director Douglas Finley regarding the City's cost of co-sponsorship of Riverfest 1981. That estimate indicates an estimated cost of overtime of $7,000, based on work performed during the 1980 Riverfest. The overtime is particularly high because of this being a holiday (Labor Day) weekend.

While I believe that many, many people enjoyed Riverfest '80, I would not suggest that it provided any unusual economic boon to downtown businesses, which were closed during the majority of the event. I must also remind you of my concerns expressed to you in the State of the City Message delivered to you in January. "City Council decisions to co-sponsor certain events diluted some what the ability to handle all routine assignments." City Council must recognize the need to prioritize requests for City co-sponsorship and select those events most beneficial or significant to all the community.

Finally, I would also stress that City co-sponsorship must be strictly limited to those activities which can be performed by City staff or so-called "in-kind" assistance. In no way should the City obligate itself to provide direct financial support to any organization involved in such events. The burden of financial responsibility for such events must remain with the group initiating the activity.

Your decision on co-sponsorship of Riverfest '81 is needed by March 16, 1981, in order to be properly considered in the budg-

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et submissions due to you the following week.

Sincerely,

GERALD W. GRAVES,
Mayor.

Referred to Committee on Human Services.

March 4, 1981

Council President Lucile Belen and
Members of the Lansing City Council

10th Floor, City Hall

Lansing, Michigan 48933

Dear Council President and Members:

My nomination of Max D. Shunk, 512 Village Drive, to the Capital Area Transportation Authority (CATA) has been before City Council since January 26, 1981, without action.

It has recently been brought to my attention that at least some members of City Council have now decided that the Mayor should appoint a Council member to the CATA Board for one of the City's positions. I have not received any formal request or Council action in that regard, however.

I do not disagree that a member of City Council could be appointed to the CATA board, and the CATA by-laws are silent on this issue. I do find this to be an unusual request after the nomination of Mr. Shunk has been before City Council so long. It is my request that City Council approve or reject Mr. Shunk on his own merits at this time. I will then give my strong consideration to appointment of a Council representative the next time a vacancy should occur on the CATA board through resignation or other unanticipated reason. I do not intend to substitute a Council appointment to begin a new term when the incumbent board member has done an acceptable job and expresses a desire to continue on a board.

Your action on the appointment which has been before you the past six weeks is requested.

Sincerely,

GERALD W. GRAVES,
Mayor.

Referred to Committee of the Whole.

March 4, 1981

Council President Lucile Belen and
Members of the Lansing City Council

10th Floor, City Hall

Lansing, Michigan 48933

Dear Council President and Members:

Some time ago, I forwarded to you a recommended river development policy as developed by the Planning Department in response to the proposed River Queen restaurant. The deevlopment policies prepared by Planning staff were submitted to and approved by the Planning Board.

Unfortunately, I must advise you that this review was rather superficial in nature and did not address the full legal and technical implications in the City addressing proposed developments on the river system following through the City of Lansing. At this time, I wish to withdraw the previous recommendation to you for further study.

I am appointing for that study an ad-hoc committee comprised of the Parks and Recreation Director, the Planning Director, the Public Service Director, the City Attorney and representatives of the Board of Water and Light and Michigan Department of Natural Resources to review this matter. Their recommendations will be forwarded to the Parks, Planning and Waterfront Development Boards prior to re-submission to City Council.

Sincerely,

GERALD W. GRAVES,
Mayor.

Referred to Committee on Public Property and Safety.

DATE: 3/5/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Submission of attached correspondence from the Public Service Director. Re: Subdivision Requirements for Developers.

The attached correspondence is submitted for your information.

GERALD W. GRAVES,
Mayor.

Received and placed on file with copy to Committee on Physical Development.

DATE: 3/5/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Public Service Director. Re: Trash in Right-of-Way Removal Assessment for July 1981 Tax Roll (V-2).

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The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

By COUNCILMAN LINDEMANN—

That we concur in the recommendation of the Mayor and said assessments be placed on the July 1981 tax roll.

Carried.

March 5, 1981

Council President Lucile Belen and Members of the Lansing City Council

10th Floor, City Hall

Lansing, Michigan 48933

Dear Council President and Members:

Recently, this office was advised by William L. Mackay, a member of the Capital Region Airport Authority, that due to other obligations he finds it necessary to resign as a member of this Board. Therefore, I am submitting to you, for your consideration and confirmation, the name of Peggy Bokovoy to fill said vacancy, which term expires October 1, 1981.

Ms. Bokovoy resides at 2900 Palmer in the City of Lansing.

Trusting this recommendation meets with your approval, I remain

Sincerely,

GERALD W. GRAVES,
Mayor.

Referred to Committee of the Whole.

DATE: 3/5/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Operations Analyst. Re: Sale of Vacant Lots: 910 Drury Lane and 1003 Lathrop.

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Physical Development.

March 5, 1981

Council President Lucile Belen and Members of the Lansing City Council

10th Floor, City Hall

Lansing, Michigan 48933

Dear Council President and Members:

This letter is to inform City Council that a consultant has been selected to prepare an environmental impact statement (E.I.S.) for the proposed Edgewood Buolevard project.

City Council is aware that late last year, U. S. District Court Judge Noel Fox granted a restraining order preventing the City of Lansing from any further work on the Edgewood Boulevard project until such time as an E.I.S. was completed substantiating no adverse environmental impact would result from this project. The City had completed property appraisals and was very nearly ready to issue offers to acquire the property needed for this road at the time the restraining order was issued. In that decision, Judge Fox effectively made the property appraisals which were paid for by the City worthless.

Since that time, City staff immediately began a consultant selection process, which has resulted in the selection of Deleuw, Cather and Company of Chicago to complete the E.I.S. (It should be noted that no local firm submitted a proposal to perform the E.I.S.) The cost of the E.I.S. will be approximately $148,000, with the final figure to be determined based upon certain work elements which may be completed by City staff rather than being included as an additional expense item in the contract. The E.I.S. is anticipated to take 13 to 14 months to complete from the signing of a contract with this firm.

It is proposed to fund this E.I.S. from the Edgewood Boulevard account (101-936-793-985) of the 1980-81 budget, and I am advised that the E.I.S. would be a legitimate expenditure within that account. I must advise, though, that the $882,000 appropriated in that account did not have much leeway for the acquisitions necessary for the road construction. With the considerable passage of time, in all probability the values of properties to be acquired will increase, and in any event the appraisals will have to be updated. It is extremely likely, assuming the City is eventually successful in court on this matter, that additional funds in excess of the $148,000 to be used for the E.I.S. will be necessary at such time as acquisition could again commence.

I am in support of the Edgewood Boulevard project, as I always have been. As I report to you in the State of the City Message, "It is my sincere goal that substantial progress will be made to resolve all legal complications on this issue in 1981, for completion of Edgewood Boulevard so that this last major undeveloped area of the City may be opened up for new multi-family housing and new offices." I maintain that goal.

I am extremely concerned about having to spend this amount of funds for a consultant study, which I believe will show in the end what was said earlier — that no significant environmental damage would be done by constructing this road. It is unfortunate

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that judicial decisions in matters as this can result in thousands of dollars of taxpayers funds being spent to reach the same end result. But I aslo believe that this expenditure must be viewed as an investment with a potential return of millions of dollars of new investment and new tax base which will benefit the entire community.

I believe a matter of this magnitude should be brought to your attention in advance of a contract being executed. I will proceed on this contract very shortly after April 1, 1981, unless City Council direction to the contrary is provided by that time.

Sincerely,

GERALD W. GRAVES,
Mayor.

Referred to Committee of the Whole.

## RESOLUTIONS

By COMMITTEE ON PUBLIC PROPERTIES AND SAFETY—

Resolved by the City Council of the City of Lansing:

Whereas, there is a vacancy in the First Ward of the Waterfront Development Board; and

Whereas, the Mayor referred Lillian R. Scieska to fill said vacancy; and

Whereas, the Committee on Public Properties and Safety interviewed Mrs. Scieska on March 3, 1981;

Now, Therefore, Be It Resolved the City Council of the City of Lansing hereby approves the appointment of Mrs. Lillian R. Scieska to the Waterfront Development Board for a term to expire in June of 1984.

Adopted by the following vote:

Unanimously.

March 4, 1981

Resolved by the City Council of the City of Lansing:

Whereas, the citizens of Lansing have expressed their personal outrage over the disappearance and murder of young Black children in Atlanta, Georgia; and

Whereas, the racial overtones inherent in these crimes are reminiscent of the genocidal Holocaust of World War II, graphically pointing out that militant prejudice continues to exist in America; and

Whereas, these deaths are the work of terrorists who have declared war on human rights; and

Whereas, the terrorists responsible for the murders of children must be revealed and held accountable for their acts, so that an entire city may return from calamity to its normal way of life;

Now, Therefore, Be It Resolved the City Council of the City of Lansing hereby sends its deepest sympathy to the families and friends of the innocent victims of this insane spree; and

Be It Further Resolved the City Council and the People of Lansing extend their support and compassion to the People of Atlanta during this time of fear and horror; and

Be It Finally Resolved the Lansing City Council strongly urges all members of the special investigating team assigned to these crimes to double their efforts and bring this nightmare to an immediate conclusion.

LUCILE E. BELEN,
Council President,

JACK D. GUNTHER,
Vice President,

THEO FULTON,
City Clerk.

TERRY J. McKANE,
SIDNEY P. WORTHINGTON,
LOUIS F. ADADO,
JAMES D. BLAIR,
WILLIAM A. BRENKE,
PATRICK LINDEMANN.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON GENERAL SERVICES—

Resolved by the City Council of the City of Lansing:

That Consumers Credit Union request for a 24 hour liquor permit for the 11th of April, 1981, at the Michigan National Guard Armory Headquarters, is hereby approved provided the special license is obtained from the Liquor Control Commission.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON GENERAL SERVICES—

Resolved by the City Council of the City of Lansing:

That Mr. Ernest Meyers request for a 24 hour liquor permit for the evening of March 27 for "Las Vegas Night" at the Michigan National Guard Armory Headquarters is

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hereby approved provided the special license is obtained from the Liquor Control Commission.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON GENERAL SERVICES—

Resolved by the City Council of the City of Lansing:

That Lansing Municipal Credit Union's request for a 24 hour liquor permit for the 21st of March at the Michigan National Guard Armory for their annual dinner meeting is hereby approved provided the special license is obtained from the Liquor Control Commission.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON GENERAL SERVICES—

Resolved by the City Council of the City of Lansing:

Whereas, the Ballet Folklorico Ibero-Hispano, Inc., is a Lansing non-profit organization incorporated and given tax exempt status in 1979; and

Whereas, this organization has requested official recognition by the City of Lansing in order to apply to the State of Michigan for a Bingo permit;

Now, Therefore Be It Resolved the Lansing City Council, sitting in regular session this 9th day of March, 1981, does hereby recognize the Ballet Folklorico Ibero-Hispano, Inc., as a duly-incorporated non-profit organization.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON GENERAL SERVICES—

Resolved by the City Council of the City of Lansing:

Whereas, parents from Henry K. North School have requested permission to place an advertising baner on the South Cedar Street skywalk, just north of Miller Road, to promote their Annual Spring Carnival; and

Whereas, a permit must be obtained from the State of Michigan to allow placement of the banner;

Now, Therefore, Be It Resolved the Lansing City Council hereby authorizes the Public Service Director to apply to the State of Michigan for a permit to place an advertising banner on the South Cedar Skywalk during May 9-16, 1981.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON GENERAL SERVICES—

Resolved by the City Council of the City of Lansing:

Whereas the City of Lansing incurs processing costs for weed cutting, trash removal, condemnations and demolitions done on private properties, and charges these costs to the affected property owners; and

Whereas, the Mayor has submitted processing cost estimates for 1981, based on current salaries and indirect costs;

Now, Therefore, Be It Resolved the Lansing City Council hereby approves a fee of $120.00 per property for weed cutting or trash removal and a fee of $315.00 per property for condemnation/demolition; and

Be It Further Resolved these revised fees shall be effective July 1, 1981.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON HUMAN SERVICES—

Resolved by the City Council of the City of Lansing:

Whereas, on February 9, 1981, the Lansing City Council approved the categorical recommendations submitted by the Human Resources Advisory Board for funding of FY81-82 human services; and

Whereas, the Board has made a subsequent recommendation for funding of programs in the Substance Abuse sub-category, using identified carry forward funds;

Now, Therefore, Be It Resolved the Lansing City Council hereby approves the categorical allocation of $35,000 for the Substance Abuse sub-category, with a maximum amount of $20,000 per project, as recommended by the Human Resources Advisory Board.

Adopted by the following vote:

Unanimously.

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By COMMITTEE ON HUMAN SERVICES—

Resolved by the City Council of the City of Lansing:

Whereas, the Mayor and Parks Board have recommended a differential user fee system for City recreation programs based on a higher fee for non-resident program participants; and

Whereas, in a survey of 41 Michigan communities, the Parks Department discovered that 38 of the respondents have differential fee systems; and

Whereas, the Mayor and Parks Board have also submitted a recommended 1981 program fee schedule which incorporates the differential fee system;

Now, Therefore, Be It Resolved the Lansing City Council hereby adpots a differential fee system for City recreation programs, with a basic policy of charging non-resident program participants a fee equal to one-and-one-half (1.5) times the fee charged to resident participants; and

Be It Further Resolved the City Council hereby approves the attached 1981 program fee schedule, which contains the non-resident fee differential, as recommended by the Mayor and Parks Board.

Adopted by the following vote:

Yeas: Councilmen Adado, Blair, Brenke, Lindemann, Worthington—5.

Nays: Councilmn Belen, Gunther—2.

By COUNCILMAN WORTHINGTON—

Resolved by the City Council of the City of Lansing:

SUP-8-80

240 Mill Street

Whereas, pursuant to Article V, Flood Plain Control, of the Lansing Zoning Code, the R. E. Olds Museum Building Committee has requested a special permit to allow completion of the renovation of the property commonly known as 240 Mill Street, more particularly described as:

Commencing on the westerly right-of-way line of Mill Street 128 5/6 feet southerly from the northeast corner of Lot 3 as the point of beginning, thence southerly along said westerly right-of-way line of Mill Street to the Grand River, thence northwesterly along the Grand River to its intersection with a line running southwesterly from the point of beginning at right angles to Mill Street, thence easterly along said line to the point of beginning, all in Block 239, Original Plat of the City of Lansing, County of Ingham, State of Michigan; subject to an easement for the city's Riverwalk as presently developed and improved, but with full riparian rights including the right to cross said easement in the exercise of those rights;

from a public garage to an automotive museum within the base (100 year) flood plain of the Grand River; and

Whereas the Planning Board has reviewed this request and recommended approval of the special permit; and

Whereas the Physical Development Committee of the Council, to whom the report of the Planning Board was referred, concurs therewith;

Now, Therefore, Be It Resolved that the Council of the City of Lansing hereby approves special use permit No. 8 of 1980 subject to the development occurring in accord with the rules and regulations of the National Flood Insurance Program, the Lansing Zoning Code and the requirements of the State of Michigan Department of Natural Resources; and

Be It Further Resolved that the Clerk be, and she is hereby, directed to notify the petitioner of this action and the conditions thereof.

Adopted by the following vote:

Unanimously.

By COUNCILMAN WORTHINGTON—

Resolved by the City Council of the City of Lansing:

SUP-1-81

Northeast Corner of River and Elm Streets

Whereas, pursuant to Article V, Flood Plain Control, of the Zoning Code of the City of Lansing, Mr. Charles F. Featherly has requested a special permit to allow the construction of an office and warehouse within the base (100 year) flood plain of the Red Cedar River, on vacant land located at the norhteast corner of Elm Street and River Street, more particularly described as:

That part of Block 219, Original Plat, City of Lansing, Ingham County, Michigan, beginning at the southwest corner of Block 219; thence north along the east right-of-way line of River Street 396.60 feet; thence east along the south right-of-way line of Hazel Street 168.07 feet; thence south along the west right-of-way line of the railroad 395.94 feet; thence west along the north right-of-way line of Elm Street 170.63 feet to the point of beginning; and

Whereas the Planning Board has reviewed this request and recommends that the special permit be aproved; and

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Whereas the Physical Development Committee of the Council to whom the report of the Planning Board was referred, concurred therewith;

Now, Therefore, Be It Resolved that the Council of the City of Lansing approve Special Use Permit No. 1 of 1981 to allow the construction of an electrical contractor's warehouse and office on the above described premises, subject to compliance with the City of Lansing Zoning Code, the rules and regulations of the Federal Flood Insurance Program and the requirements of the State of Michigan Department of Natural Resources; and

Be It Further Resolved that the Clerk be, and she is hereby, directed to notify the petitioner of this action and the conditions thereof.

Adopted by the following vote:

Unanimously.

By ECONOMIC DEVELOPMENT COMMITTEE—

Resolved by the City Council of the City of Lansing:

Whereas, the Motor Wheel Corporation has requested that the City of Lansing establish a Lansing Plant Rehabilitation District IPR-3-81 pursuant to Act 198, 1974, being sections 207.551 to 207.571, M.C.L.; and

Whereas, due notice has been given for a public hearing on the proposed establishment of said District; and

Whreas, at such hearing held on the 2nd day of March, 1981, all parties interested therein were heard and given due consideration; and

Whereas, the property inovlved is located at 1600 North Larch Street and environs, particularly described as:

The District is described commencing at the Northeast corner of Lot 1 of Dr. L. Anna Ballard's Subdivision, Northeasterly along West line of Penn Central R.R. right-of-way 449.86 feet (being the Northeast corner of Lot 4 of the proposed Allen Subdivision), West to the Southeast corner of Lot 1 of Spencer's Subdivision, South 120 feet, West 116 feet to the East line of East Street, South along East line of East Street 275 feet to the North line of David Street, East 115 feet, South to Northeast corner of Lot 93 of Dr. L. Anna Ballard's Subdivision, South to Southeast corner of Lot 84 of said subdivision, West to Southwest corner of said Lot 84, West across East Street to Southeast corner of Lot 32, Assessor's Plat No. 6, North along East Street to Northeast corner of Lot 34 of said Assessor's Plat No. 6, West to Northwest corner of Lot 27 of said Assessor's Plat No. 6, South to Northwest corner of Lot 14, Lyman's Addition, West 66 feet, South along Larch Street to C & O R.R. right-of-way, Southeasterly along said railroad right-of-way to the intersection of Penn Central and C & O R.R., East to Southeast corner of Lot 12, Block 7, Handy Home Addition, North along Case Street to most Northerly point of Lot 14, Block 9, of said Handy Home Addition, West to Southeast corner of Lot 7, Block 5, Case Addition, Northeasterly along West line of Penn Central R.R. right-of-way to point of beginning, being a part of Northwest ¼ of Section 10 and Northeast ¼ Section 9, T4N, R2W, City of Lansing.

Petitioner: Motor Wheel Corporation

Property: Real and Personal proprty.

Whereas, after considering all the testimony presented to this Council, this Council has determined that wtihin the District there is property which comprises 50% or more of the S.E.V. which is obsolete:

Now, Therefore, Be It Resolved, that a Lansing Plant Rehabilitation District IPR-2-81 be established on the above described property.

Adopted by the following vote:

Unanimously.

By ECONOMIC DEVELOPMENT COMMITTEE—

Resolved by the City Council of the City of Lansing:

Whereas, the City of Lansing has initiated action to establish a Lansing Industrial Development District IPR-2-81 pursuant to Act 198, 1974 being Sections 207.551 to 207.571, M.C.L.; and

Whereas, due notice has been given for a public hearing on the proposed establishment of said District; and

Whereas, at such hearing held on the 2nd day of March, 1981, all parties interested therein were heard and given due consideration; and

Whereas, the property involved is bounded by Porter and Ballard Streets, Oakland Avenue, and the Michigan Central Railroad right-of-way, more particularly described as:

Beginning at the intersection of the center lines of Porter and Ballard Streets, thence west along the center line of Porter Street to the west end of the dedicated Porter Street right-of-way, thence northerly 75 feet, thence westerly to the East line of the Michigan Central Railroad right-of-way thence south along said right-of-way to the north line of the Oak-

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land Avenue right-of-way, thence easterly along the northerly right-of-way of Oakland Avenue as designated by the State of Michigan Highway Department to the center line of Ballard Street thence northerly along the center line of Ballard Street to the point of beginning; and

Whereas, industrial expansion involving both real and personal property is planned for this proposed District;

Now, Therefore, Be It Resolved, that the Council of the City of Lansing ordains that a Lansing Industrial Development District IPR-2-81 be established on the above described property.

Adopted by the following vote:

Yeas: Councilmen Adado, Belen, Brenke, Gunther, Lindemann, Worthington—6.

Nay: Councilman Blair—1.

By COUNCILMAN BLAIR—

That the vote taken on the resolution in regard to the establishment of a Lansing Industrial Development District for property bounded by Porter, and Ballard Streets. Oakland Avenue and the Michigan Central Railroad right-of-way be reconsidered.

Carried.

The following vote was taken on the resolution.

Adopted by the following vote:

Unanimously.

By ECONOMIC DEVELOPMENT COMMITTEE—

Resolved by the City Council of the City of Lansing:

Whereas, the Lansing City Council has established a Lansing Commercial Redevelopment District CRD-15-80 in the City of Lansing, pursuant to Act 255, 1978 and

Whereas, Fairview Heights Associates, a Michigan Co-partnership, has submitted an application for a Commercial Redevelopment Exemption Certificate in said Commercial Redevelopment District CRD-15-80, and

Whereas, a hearing was held on Fairview Heights Associates' application for an exemption certificate on February 16, 1981, at which time all interested persons had an opportunity to be heard, and

Whereas, Fairview Heights Associates has met the requirements for said exemption certificate as required in Public Act 255, and

Whereas, this Council finds that the granting of this exemption certificate, considered together with the aggregate amount of Industrial Facilities and Commercial Redevelopment Exemption Certificates previously granted and currently in force shall not have the effect of substantially impeding the operation of the City of Lansing nor impairing the financial soundness of taxing units levying ad valorem property taxes in the City of Lansing; see memorandum of the Finance Director dated January 27, 1981, attached hereto;

Now, Therefore, Be It Resolved that the Council of the City of Lansing approve the application from Fairview Heights Associates for an exemption certificate in Lansing Commercial Redevelopment District CRD-15-80 and shall remain in effect for a period of 12 years.

By COUNCILMAN LINDEMANN—

That the resolution be amended as follows:

That in the last paragraph the wording "period of 12 years" be amended to read "period of 10 years."

Carried.

The resolution as amended was adopted by the following vote:

Yeas: Councilmen Adado, Belen, Brenke, Gunther, Lindemann, Worthington—6.

Nay: Councilman Blair—1.

By COUNCILMAN WORTHINGTON—

That this resolution be substituted in place of the resolution that was originally presented.

Carried.

By COUNCILMAN WORTHINGTON—

Whereas, by petition duly filed on the 26th day of November, 1979, this council was petitioned to change the following property from a "CUP" Community Unit Plan District to a revised "CUP" Community Unit Plan District all as set forth in the Zoning Code of this city, and

Whereas, due notice as required by law has been given for a public hearing on said petition, and

Whereas, at such hearing held on the 26th day of January, 1981, all parties interested therein were heard and given due consideration, and

Whereas, the property involved is described as:

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Z-53-79 — North of Skye Road, 3301-30-126-015.

More particularly described as:

Commencing 720 feet west and 815 feet south of the north ¼ post of Section 30, T4N, R2W, City of Lansing, Ingham County, Michigan; thence south 1,000 feet; thence west 240 feet; thence north 1,000 feet; thence east 240 feet to the place of beginning, Section 30, T4N, R2W, City of Lansing, Michigan;

from a "CUP" Community Unit Plan District to a "D-M:1" Multiple Dwelling District and "A" One Family Residential District.

Whereas, pursuant to Act 207, Public Acts of 1921, the Planning Board advised the City Council to approve this request subject to the land being developed with not more than 44 apartment units and 6 single family residential homes; and further that the property be subdivided in accord with the City of Lansing Subdivision Control Ordinance and the Michigan State Plat Act prior to any development of the property; and

Whereas, the Physical Development Committee of the City Council, to whom was referred the report of the Planning Board concurs therewith;

Now, Therefore, Be It Resolved that the Council of the City of Lansing ordains that the above described property be rezoned as follows:

The south 410 feet be rezoned from Community Unit Plan District to "A" One Family Residential District to facilitate the development of single family homes and that the balance of the above described property be rezoned from "CUP" to "D-M:1" Multiple Dwelling District to allow for the development of apartment units. The above rezoning is subject to the following conditions:

The land shall be subdivided in accord with the Lansing Subdivision Control Ordinance and the Michigan State Plat Act, showing a street and lot arrangement in substantial conformance with the site plan submitted with the application and on file with the Planning Department.

This proposed plan provides for a street system which will link up with the land to the east, which is the subject of a rezoning request (file No. Z-41-80). It is further understood that the proposed temporary access shall be dedicated to the City as a public easement which shall terminate when the street system for the property which is the subject of rezoning request Z-41-80 is constructed.

In addition to the above, it is also understood that the final site development plan for this property is subject to review and approval by the Planning Board prior to the issuance of building permits.

Adopted by the following vote:

Yeas: Councilmen Adado, Belen, Brenke, Gunther, Lindemann, Worthington—6.

Nay: Councilman Blair—1.

By COUNCILMAN WORTHINGTON—

Whereas, by petition duly filed on the 27th day of October, 1980, this council was petitioned to change the following described property from "A" One Family Residential District to a "DM-1" Multiple Family Dwelling and a "C" Two Family Residential Districts all as set forth in the Zoning Code of this city, and

Whereas, due notice as required by law has been given for a public hearing on said petition, and

Whereas, at such hearing held on the 26th day of January, 1981, all parties interested therein were heard and given due consideration, and

Whereas, the property involved is described as:

Z-41-80 — 3223 West Mt. Hope Avenue, 3301-30-126-042 and 3301-30-126-021.

More particularly described as:

That part of the northwest ¼ of Section 30, T4N, R2W, City of Lansing, Ingham County, Michigan, beginning on the north/south ¼ line of Section 30, 895 feet south of the north ¼ corner thereof, being the northwest corner of Lot 123 Eton Downs; thence west 135 feet; thence south 405 feet; thence southwesterly 77.7 feet on the arc of a 60 foot radius curve to the right; thence south 47 feet; thence southeasterly 82 feet; thence east 120 feet to the southwest corner of Lot 131, Eton Downs thence north 570 feet to the point of beginning; and beginning at the northwest corner of Lot 133 Eton Downs and running thence west 165 feet; thence southwesterly 169 feet on the arc of a 350 foot radius curve to the left to a point of reverse curvature; thence southwesterly 169 feet on the arc of a 350 foot radius curve to the right; thence west 40 feet; thence northwesterly 67.7 feet on the arc of a 60 foot radius curve to the right; thence southwesterly 164.8 feet; thence south 70 feet; thence east 720 feet to the west line of Eton Downs; thence north 210 feet to the point of beginning; containing 4.53 acres more or less.

from "A" Single Family Residential District to "C" Two Family Residential District, and

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That part of the northwest ¼ of Section 30, T4N, R2W, City of Lansing, Ingham County, Michigan, beginning on the north/south ¼ line at a point 300 feet south of the north ¼ corner thereof; thence west 240 feet, north 102 feet; thence west 74 feet; thence north 198 feet to the north section line; thence west 216 feet; thence south 258 feet; thence west 190 feet to the east line of Summerhill Subdivision; thence south 1,557 feet; thence east 720 feet more or less to the west line of Eton Downs; thence north 270 feet to the southwest corner of Lot 132 Eton Downs; thence west 120 feet; thence north 80 feet; thence east 120 feet; thence north 1,165 feet to the point of beginning; except beginning on the north/south ¼ line of Section 30, 895 feet south of the north ¼ corner thereof, being the northwest corner of Lot 123 Eton Downs; thence west 135 feet; thence south 405 feet; thence southwesterly 77.7 feet on the arc of a 60 foot radius curve to the right; thence south 47 feet; thence southeasterly 82 feet; thence east 120 feet to the southwest corner of Lot 131, Eton Downs; thence north 570 feet to the point of beginning, and except;

Beginning at the northwest corner of Lot 133 Eton Downs and running thence west 165 feet; thence southwesterly 169 feet on the arc of a 350 foot radius curve to the left to a point of reverse curvature; thence southwesterly 169 feet on the arc of a 350 foot radius curve to the right; thence west 40 feet; thence northwesterly 67.7 feet on the arc of a 60 foot radius curve to the right; thence southwesterly 164.8 feet; thence south 70 feet; thence east 720 feet to the west line of Eton Downs; thence north 210 feet to the point of beginning; containing 22.14 acres more or less.

from "A" One Family Residential District to "D-M:1" Multiple Dwelling District.

Whereas, pursuant to Act 207, Public Acts of 1921, the Planning Board advised the City Council to deny this request as filed and, further recommended that that portion of the above described property which was requested to be rezoned from "A' One Family Residential District to "C" Two Family Rseidential District be denied; and that the property remain "A" One Family Residential District, and that the balance of the above described property be rezoned from "A" One Family Residential District to "D-M:1" Multiple Dwelling District as requested, subject to conditions; and

Whereas the Physical Development Committee of City Council, to whom was referred the report of the Planning Board, concurred therewith;

Now, Therefore, Be It Resolved that the Council of the City of Lansing ordains that the petition to rezone the above described property from "A" One Family Residential District to "C" Two Family Residential District and from "A" One Family Residential District to "D-M:1" Multiple Dwelling District be denied; and

Be It Further Resolved that that portion of the above described property requested to be rezoned from "A" One Family Residential District to "C" Two Family Residential District be denied; and that this portion remain "A" One Family Residential District, and the balance of the above described property requested to be rezoned from "A" One Family Residential District to "D-M:1" Multiple Dwelling District be approved subject to the following:

That prior to any development of the site, the land shall be subdivided in accord with the City of Lansing Subdivision Control Ordinance and the Michigan State Plat Act, and that the subdivision of land be in substantial conformance with the plan submitted and on file in the planning Department.

The Plan on file shows a proposed street pattern which allows for the development of the subject property in accord with a proposed street pattern for the property adjacent to the west, commonly known as the Chittenden Property which is the subject of a rezoning request, file No. Z-53-79.

In addition to the above, it is also understood that the final site development plan for this property is subject to review and approval by the Planning Board prior to the issuance of building permits.

Adopted by the following vote:

Unanimously.

By WAYS AND MEANS COMMITTEE—

Resolved by the City Council of the City of Lansing:

That the following transfers be approved:

$3,152.00 from Equipment—Central Garage
A/C 101-222-000-977

9,000.00 from Warehouse Facility—C.I.P.
A/C 101-936-105-975

$9,300.00 to Utilities—Jury Rowe—Property Management
A/C 101-265-004-920

2,852.00 to Equipment—Property Management
A/C 101-265-000-977

$ 750.00 from Oak Park Garage—Equipment
A/C 101-963-000-977

2,500.00 from Parks—Equipment
A/C 101-718-000-977

900.00 from Golf Equipment
A/C 101-721-000-977

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3,350.00 from Forestry—Equipment
A/C 101-718-000-977

2,450.00 from Parks—Gasoline Reserve
A/C 101-692-000-751

$9,950.00 to Parks—Equipment Maintenance
A/C 101-718-300-933

$1,500.00 from Recreation Div. Misc. & Oper. Expense
A/C 101-725-500-741

1,500.00 from Leisure Centers—Misc. & Oper. Expense
A/C 101-728-501-741

$3,000.00 to Winter Operations—Misc. & Op. Expense
A/C 101-720-000-741

$5,834.00 from General Fund—Fund Balance
A/C 101-000-000-941

$5,834.00 to Reserve for Contingency
A/C 101-941-000-963

$5,834.00 from Reserve for Contingency
A/C 101-941-000-963

$5,834.00 to Unscheduled Maint.—Property Management
A/C 101-265-002-931

$2,200.00 from Trunkline Improvements—Act 51 Major Street Fund
A/C 202-452-612-974

$2,200.00 to Pennsylvania Underpass Act 51 Major Street Fund
A/C 202-453-101-974

$1,400.00 from Cmetery Admin. Misc. & Op. Expenses
A/C 516-536-000-741

$ 800.00 to Burial Operating Supplies
A/C 516-537-000-740

600.00 to Grounds Maint. Operating Supp.
A/C 516-538-000-740

I hereby certify that this is a properly drawn and eligible transfer.

JAMES W. DOWSETT,
Finance Director.

Approved:

JACK D. GUNTHER,
WILLIAM A. BRENKE,
Ways and Means Committee.

By COUNCILMAN GUNTHER—

That the transfers be voted on excluding the transfer of funds for $5,834.00.

Carried.

The following vote was taken on the transfer of funds excluding the amount of $5,834.00.

Adopted by the following vote:

Unanimously.

By COUNCILMAN GUNTHER—

That the transfer of funds in the amount of $5,834.00 be referred back to the Committee on Ways and Means.

Carried.

By COUNCILMAN GUNTHER—

Resolved by the City Council of the City of Lansing:

That Councilman McKane be excused from the session.

Carried.

## REMARKS BY THE MAYOR'S EXECUTIVE ASSISTANT

No remarks.

## REMARKS BY THE CITY COUNCIL

Suspension of rules.

By COUNCILMAN ADADO—

Resolved by the City Council of the City of Lansing:

That the rules of the Council be waived for the purpose of presenting items that are not listed on the agenda.

Carried.

Letter from Gregory and Lana Byrd of 648 S. Foster Avenue in regard to the condition that exists in the 600-700 blocks of S. Foster Avenue due to flooding and sewerage.

Referred to City Attorney, Mayor, Public Service Department.

Letter from Keith G. Smith in regard to claim that he submitted and was denied by the City Council and submits further information on this matter.

Referred to City Attorney.

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

March 9, 1981

President and Members of City Council
City Hall

Lansing, Michigan

Lady and Gentlemen:

At a duly noticed regular meeting of the Board of Water and Light of the City of Lansing, Michigan, held February 24, 1981, at which a quorum was present, the following action was duly adopted and filed with the City Clerk's Office:

That the Board advise Lansing City Council it has, in accordance with Council's resolution adopted June 16, 1980 regarding engaging independent auditors for a three-year cycle beginning with Fiscal Year ending June 30, 1980, received a proposal from Ernest & Whinney in the amout of $24,000 (maximum fee) to audit the Board of Water and Light for Fiscal Year ending June 30, 1981.

Further, that the Board advise Lansing City Council the cost set forth in Ernst & Whinney proposal dated January 28, 1981, appears reasonable and recommends they be retained to conduct said audit as per their proposal.

Enclosed herewith is a copy of Ernst & Whinney's proposal respecting Fiscal Year Ending June 30, 1981 audit.

Very truly yours,

BOARD OF WATER AND LIGHT,
Dorothy E. LeVan, Secretary.

Referred to Committee on General Services.

By COUNCILMAN ADADO—

Resolved by the City Council of the City of Lansing:

Whereas, the Physical Development Plan for the NDA No. 3 Expansion Area calls for the vacation of Walker Street, between Case Street and the ConRail right-of-way, and the conversion of Walker Street and other adjacent city-owned property for the expansion of Lansing Plating Company, and

Whereas, the process of vacating Walker Street and the sale of the adjacent property have not been completed, and

Whereas, Lansing Plating Company has advised the City of Lansing that it has the opportunity to accept a large order from Motor Wheel, if adequate space can be provided to store steel materials to be processed, and that this order would result in the addition of two (2) shifts to its operation, thus creating six (6) to ten (10) new jobs and providing a positive impact on the Lansing economy; and

Whereas, if Lansing Plating Company is unable to accept this work from Motor Wheel, that work will be sent to another firm in the Detroit area;

Now, Therefore Be It Resolved by the Lansing City Council that the north forty (40) feet of Walker Street, from the west line of Case Street to the east line of the ConRail right-of-way be and is hereby temporarily closed, subject to the retention of all existing utility easements and subject to the approval of all impacted City departments; and

Be It Further Resolved that this portion of Walker Street shall remain closed until the decision to vacate this street is acted upon by the Lansing City Council.

Adopted by the following vote:

Unanimously.

By PHYSICAL DEVELOPMENT COMMITTEE—

Resolved by the City Council of the City of Lansing:

Whereas, the City of Lansing is rehabilitating Eastside Neighborhood Development Area No. 2 and Northside Development Area No. 3 in cooperation with the Federal government for financial assistance all pursuant to Act 344, Public Acts of 1945, as amended; and

Whereas, the City of Lansing has prepared and adopted in Ordinance No. 468 and Ordinance No. 469 a Physical Development Plan and a plan for relocating families and individuals who are to be displaced by the rehabilitation of said areas; and

Whereas, the City of Lansing acting by and through its Planning Department and Redevelopment Division has consulted with Citizens' District Councils No. 2 and 3 of Neighborhood Development Areas No. 2 and 3; and

Whereas, these Councils have recommended that the Community Development Financial Assistance Services adopted as part of the development plans be amended to improve the incentives of the financial assistance package; and

Whereas, the Planning Board has reviewed and approved the recommendation to amend the physical development plan; and

Whereas, this amendment will assist the city in presenting a financial assistance package to the residents that is more in line with today's economic situation and is in compliance with Act 344 Public Acts of 1945 as amended; and

Whereas, the Act requires the City to

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provide citizens an adequate opportunity to ask questions and express opinions and concerns about modifications to the Physical Development Plan; and

Now, Therefore, Be It Resolved that the City Council of the City of Lansing in satisfying the requirements of Act 344 Public Acts of 1945 as amnded, schedule a public hearing on April 13, 1981 to consider the proposed Community Development Financial Assistance Services Program.

Adopted by the following vote:

Unanimously.

By PHYSICAL DEVELOPMENT COMMITTEE—

Resolved by the City Council of the City of Lansing:

Whereas, the City of Lansing is rehabilitating the Westside Neighborhood Development Area No. 1, Eastside Neighborhood Development Area No. 2, Northside Neighborhood Development Area No. 3, and Southside Neighborhood Development Area No. 4 in cooperation with the Federal government for financial assistance all pursuant to Act 344, Public Acts of 1945, as amended; and

Whereas, the City of Lansing has prepared and adopted in Ordinances No. 467, 468, 469 and 582 a Physical Development Plan and a plan for relocating families and individuals who are to be displaced by the rehabilitation of said areas; and

Whereas, the City of Lansing acting by and through its Planning and Redvelopment Department has consulted with the Citizens' District Councils in Neighborhood Development Areas No. 1, 2, 3 and 4; and

Whereas, those councils have recommended that the financial services section adopted as part of the development plans be amended to include a "statement concerning permanent liens"; and

Whereas, the Planning Board has reviewed and approved the recommendations to include this "lien statement" in the financial services section of the Physical Development Plans; and

Whreas, this permanent lien statement will assist the City and residents in renovating these deteriorated Residential Areas and is in compliance with Act 344 Public Acts of 1945 as amended; and

Whereas, the Act requires the City to provide citizens an adequate opportunity to ask questions and express opinions and concerns about modifications to the Physical Development Plan; and

Now, Therefore, Be It Resolved that the City Council of the City of Lansing in satisfying the requirements of Act 344, Public Acts of 1945 as amended, schedule a public hearing on April 13, 1981 to consider the inclusion of the "permanent lien statement."

Adopted by the following vote:

Unanimously.

By COUNCILMAN WORTHINGTON—

Resolved by the City Council of the City of Lansing:

Whereas, the City of Lansing is rehabilitating Eastside Neighborhood Development Area No. 2 and Northside Neighborhood Development Area No. 3 in cooperation with the Federal government for financial assistance all pursuant to Act 344, Public Acts of 1945, as amended; and

Whereas, the City of Lansing has prepared and adopted in Ordinance No. 468, and Ordinance No. 469 a Physical Development Plan and a plan for relocating families and individuals who are to be displaced by the rehabilitation of said area; and

Whereas, the City of Lansing, acting by and through its Planning and Redevelopment Departments has consulted with the Citizens' District Councils of Neighborhood Development Areas No. 2 and 3; and

Whereas, that Council has recommended that the rehabilitation strategy adopted as part of the development plans be amended to include a new set of "Housing Imporvement Guidelines"; and

Whereas, the Planning Board has reviewed and aproved the recommendations to include the "Housing Improvement Guidelines" in the physical development plans; and

Whereas, these Housing Improvement Guidelines will assist the City and residents in renovating this deteriorated Residential Area and is in compliance with Act 344 Public Acts of 1945 as amended; and

Whereas, the Act requires the City to provide citizens an adequate opportunity to ask questions and express opinions and concerns about modifications to the Physical Development Plan; and

Now, Therefore, Be It Resolved that the City Council of the City of Lansing in satisfying the requirements of Act 344, Public Acts of 1945, as amended, schedule a public hearing on April 13, 1981, to consider the inclusion of the new "Housing Improvement Guidelines."

Adopted by the following vote:

Unanimously.

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Richard Lilley, 900 Long Blvd., spoke on economy.

Charles Jursick, 3200 Reo Rd., spoke.

By COUNCILMAN BRENKE—

That this meeting stand adjourned.

Carried.

Council adjourned at 8:50 p.m.

THEO FULTON,
City Clerk.

Lansing, Michigan

March 9, 1981

F/B

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CITY CLERK'S OFFICE
Room 921, City Hall
Lansing, Michigan 48933

Address Correction Requested

BULK RATE
U. S. POSTAGE
PAID
Permit No. 1461
Lansing, Michigan



# OFFICIAL PROCEEDINGS OF
# THE CITY COUNCIL
## OF THE CITY OF LANSING

## Proceedings, March 16, 1981

**CITY COUNCIL ROOMS**

Lansing, Michigan

March 16, 1981

The City Council of the City of Lansing, Michigan, met in regular session and was called to order by President Belen.

Present: Councilmen Adado, Belen, Blair, Brenke, Lindemann, McKane, Worthington —7.

Absent: Councilman Gunther—1.

The Clerk announced that a quorum of the Council was present.

Invocation was given by Councilman Brenke.

Pledge of Allegiance was led by Councilman Brenke.

That the council proceedings of February 23, 1981 be approved.

Carried.

Lansing Civic Players Guild makes a presentation to the City Council of the original sketch of the Fire House (formerly Fire Station No. 8) at Michigan and Hayford Streets.

Karl Newmann, President of Edward W. Sparrow Hospital, and Frederic Plasman, Associate Director of Sparrow Hospital spoke and presented framed bonds issues for the sale of bonds by the Hospital Authority to All Council Members, Mayor, and Emerson Ohl, Board Members, Edward Vogt and George Mills were present and received framed bond issues.

**HEARING ON PROPOSED CHANGES IN ZONING CLASSIFICATION**

March 16, 1981, at 7:00 o'clock being the time set as the time for holding a hearing on the proposed changes in the Classifications as provided for in the Zoning Code which was passed by the City Council on November 13, 1958, said proposed amendment being as follows:

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That the property described as:

Z-1-81 — 500 S. Capitol Avenue,

be rezoned from "D-1" Professional Office District to "D" Apartment Shop District.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed amendment(s) to the Classifications provided for in the Zoning Code he had the privilege of speaking at this time.

No objections were made to the proposed amendment(s).

Referred to Committee on Physical Development.

March 16, 1981, at 7:00 o'clock being the time set as the time for holding a hearing on the proposed changes in the Classifications as provided for in the Zoning Code which was passed by the City Council on November 13, 1958, said proposed amendment being as follows:

That the property described as:

Z-2-81 — 1500 block Woodlawn Avenue,

be rezoned from an "Unzoned" District to a "J" Parking District.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed amendment(s) to the Classiciations provided for in the Zoning Code he had the privilege of speaking at this time.

No objections were made to the proposed amendment(s).

Referred to Committee on Physical Development.

**THE PUBLIC MAY NOW ADDRESS THE CITY COUNCIL ON ANY OF THE FOLLOWING ITEMS LISTED ON THE AGENDA: COMMUNICATIONS AND PETITIONS, COMMITTEE REPORTS, REPORTS OF CITY OFFICERS AND BOARDS, AND RESOLUTIONS. YOU MAY SPEAK ONLY FOR 3 MINUTES ON ANY ONE ITEM.**

Committee Report 3c and Resolution 7c removed from agenda.

Gerald Beckwith, attorney, 428 S. Jenison, representing Walter Jones, spoke relative introduction of ordinance revising sections 27-35 and 27-58 of the Code of Ordinances (sewer rates).

**COMMUNICATIONS AND PETITIONS**

The following applications and bonds have been filed for licenses:

AUCTIONEER —
Richard C. Brodie.

CARNIVAL —
Crown Amusement, Inc.

RUBBISH HAULER —
George Koenig.

CHARITABLE SOLICITATION —
Greenpeace Great Lakes.

Referred to Committee on General Services.

The following claims have been filed:

Pauline Bates for damage to her automobile due to a piece of asphalt that fell off of a City Maintenance Truck.

Bethany A. Carpenter for damage to automobile due to chuck hole.

Reamer W. Wigle, Attorney for Anne Katharine Morse for injuries sustained at Ranney Park.

Theresa Muniz for injuries sustained due to falling on a street sign stub.

Referred to Mayor, City Attorney.

Petition filed for rezoning:

Z-10-81 —

The south 8.25 feet of Lot 21, and the North ½ of Lot 22, Block 21, Original Plat, City of Lansing, Michigan, Ingham County from "C" Two Family Residential District to "G" Business District — (810-816-818 Center St. and lot at Center and Oakland Streets).

Referred to Mayor, Planning Board.

The following special use permit was filed:

SUP-4-81 — 1000 Lincoln Avenue — to be used as a Day Care Center.

Referred to Mayor, Planning Board.

Request from Capitol Bedding Co., Inc., to either purchase or obtain an easement for property at 2338 N. Grand River Avenue.

Referred to Mayor.

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Petition filed requesting the placement of a Crossing Guard at Lathrop St. and Michigan Avenue.

Referred to Mayor.

The Roary Corporation submits a revised SUP plan for property at N.W. corner of Aurelius Rd. and Hoyt Avenue.

Referred to Mayor, Planning Board.

Fred White Engineering Co. submits notice that all lot corners and monuments have been placed in the Plat of Summerhill.

Received and placed on file with copy to Planning Department.

Bank of Lansing submits request and notice of their 5th annual Art Show and Sale to be held on June 26-27, 1981, and ask that special consideration be given for street closings.

Referred to Mayor.

Letter from Robert F. Donley asking for reconsideration on the Park Board rules regarding Senior Citizens playing on Municipal Golf courses at reduced rates.

Referred to Mayor, Park Board.

Letter from Financial Services Center, Inc., in support of the Motor Wheel Tax abatement.

Received and placed on file.

Department of Natural Resources submits flood plain permit for Graybar Electric Co., Inc.

Received and placed on file.

Ingham County Treasurer submits notification of the amount of the installment and interest next becoming due on assessments for:

Montgomery Drain.

Pawlowski Creek Drain.

Remey-Chandler Intercounty Drain.

Referred to Mayor.

## MAYOR'S EXECUTIVE ASSISTANT COMMENTS ON ANY ITEM ON THE AGENDA

Mr. Black spoke for Mayor Graves on the building to be done at Fisher Body plant.

## REPORTS OF COMMITTEES

The COMMITTEE ON GENERAL SERVICES approves the following applications and bonds for licenses:

AUCTIONEER —
Richard C. Brodie.

CARNIVAL —
Crown Amusement, Inc.

RUBBISH HAULER —
George Koenig.

CHARITABLE SOLICITATION —
Greenpeace Great Lakes.

Signed:

WILLIAM A. BRENKE,
PAT LINDEMANN,
TERRY J. McKANE,
Committee on General Services.

By COUNCILMAN BRENKE—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

The COMMITTEE ON PUBLIC PROPERTIES AND SAFETY, to whom was referred the Mayor's letter on disposition of Irving Park, reports as follows:

The Planning Board and the Parks Board have recommended that Irving Park be retained as an open space park. There is no evidence that Irving Park is unsuitable for use as parkland. The request to dispose of of Irving Park is denied.

Signed:

PAT LINDEMANN,
SIDNEY P. WORTHINGTON,
JAMES D. BLAIR,
Committee on Public Properties and Safety.

By COUNCILMAN LINDEMANN—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

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The COMMITTEE ON PHYSICAL DEVELOPMENT, to whom was referred the rezoning petition Z-45-80 for the property at 700 block of Call Street from "B" One Family Residential District to "F" Commercial District, reports as follows:

That said rezoning be approved.

Signed:

SIDNEY P. WORTHINGTON,
LUCILE BELEN,
WILLIAM A. BRENKE,
Committee on Physical Development.

By COUNCILMAN WORTHINGTON—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

The COMMITTEE ON PHYSICAL DEVELOPMENT, to whom was referred the rezoning petition Z-43-80 for property at Vacant Land formerly known as 328 S. Butler Blvd., from "C" Two Family Residential District to "F" Commercial District, reports as follows:

That said rezoning be approved.

Signed:

SIDNEY P. WORTHINGTON,
LUCILE BELEN,
WILLIAM A. BRENKE,
Committee on Physical Development.

By COUNCILMAN WORTHINGTON—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

## REPORTS OF CITY OFFICERS AND BOARDS

March 11, 1981

Miss Theo Fulton, City Clerk

City of Lansing

Lansing City Hall

Lansing, Michigan 48933

Dear Miss Fulton:

Attached please find copies of communications forwarded to the Mayor Gerald Graves and President of Lansing City Council, Miss Lucile Belen and City Council Members. Also attached in reference to the resolution authorizing execution of the Amendment to the Annual Contributions Contract, please find Form HUD-9011, Certificate of Recording Officer; Form HUD-9012, Extract from Minutes of Meeting; Form HUD-9014; and required Certificate of Incumbency. Please have these items signed and sealed as required in the attached instructions for completion and execution.

Should you have any questions regarding this matter, please feel free to contact me regarding them. Also note that I have not included a signed copy of Amendment No. 15. We shall do so after passage of the enclosed resolution by Council.

Sincerely,

LANSING HOUSING COMMISSION,
Walter Norris, Jr.,
Executive Director.

Attachments (including Lansing Housing Commission Resolution No. 471).

Referred to Committee of the Whole.

March 11, 1981

Miss Lucille Belen, President

Lansing City Council
and City Council Members

Lansing City Hall

Lansing, Michigan 48933

Dear Miss Belen and
City Council Members:

Attached is a communication forwarded to Mayor Graves requesting that he place on the agenda a resolution authorizing execution of Amendment No. 15 to the Annual Contributions Contract between the Lansing Housing Commission and the United States Government. The resolution authorizes the Commission to sign the attached amendment as required by the 1979 Housing and Community Development Acts (Public Law 96-153). This amendment commits the Lansing Housing Commission to the continuation of the low-income nature of housing developments for which we have received an operating subsidy. The amendment also provides the basis of the Government to continue operating subsidies to the Lansing Housing Commission after the agreed upon 40-year-period as per the current Annual Contributions Contract.

Your adoption of this resolution shall be of great assistance to the Housing Commission in the continued goal of providing safe, decent and sanitary housing for low-income families in the Lansing area.

Should you have any questions in regard to the content of this communication or the

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authorizing resolution and amendment attached, please feel free to contact me regarding them.

Thank you for your consideration.

Sincerely,

LANSING HOUSING COMMISSION,
Walter Norris, Jr.,
Executive Director.

Attachments (including Lansing Housing Commission Resolution No. 471).

Referred to Committee of the Whole.

March 11, 1981

The Honorable Mayor Gerald W. Graves

City Hall

City of Lansing, Michigan 48933

Dear Mayor Graves:

The Planning Department was directed by President Belen during the City Council meeting on Monday, March 9, to forward the attached amendment to the Citizens' District Council No. 3.

In accordance with Public Act 344, the Citizens' District Council has been notified of the proposed Amendment to the Neighborhood Development Area No. 3 Plan. The amendment contains provisions for the acquisition and demolition of 1539 North High Street due to the critical condition of the structures and high cost to rehabilitate them.

The Citizens' District Council remains in agreement that the one residential structure should be acquired and demolished.

Sincerely,

BRUCE W. DEASON
for
LARRY L. PARKER,
Chairman, CDC No. 3.

Referred to Committee on Physical Development.

March 5, 1981

Mayor Gerald W. Graves,

Council President Lucile Belen
and City Council Members

Re: Frank's Nursery & Crafts, Inc.
EDC Project

Dear Mayor Graves and
City Council Members:

We are forwarding to you a resolution approved by the Economic Development Corporation Board of Directors of action taken at a regular meeting held on March 4, 1981, approving a Letter of Inducement, Designation of Project Area and Designation of Bond Counsel for Frank's Nursery & Crafts, Inc. Therefore, it will be necessary for you to appoint two (2) Temporary Trustees to this project.

The applicant is asking for approximately One Million Dollars ($1,000,000) in EDC bonding and the Economic Development Corporation is in the process of developing a Project Plan to be presented to you at a future date.

In your deliberation to designate a Project Area, we would recommend, as pointed out in our resolution, that you define the Project District Area as one and the same as the Project Area.

Also, inasmuch as there is no residential area to be affected by the Project Plan, we believe that it is not necessary to establish a Project Citizens District Council.

Sincerely yours,

EMERSON B. OHL,
Executive Director.

Referred to Committee on Economic Development.

March 12, 1981

Council President Lucile Belen and
Members of the Lansing City Council

10th Floor, City Hall

Lansing, Michigan 48933

Dear Council President and Members:

For your consideration and confirmation, I am submitting to you the below listed names to serve as Temporary Directors on the following Economic Development Corporation projects:

FRANK'S NURSERY
Kathryn Haar
Thomas Papiernik, Sr.

LOGAN CENTER
Kathryn Haar
George Hess

SPEAKER-HINES & THOMAS
Gary Weston
Thomas Papiernik, Sr.

F & S DEVELOPMENT
Howard Spence
George Hess

HOUTSMA, INC.
Howard Spence
Michael Haley

All of the above individuals are currently

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serving as Temporary Directors on other EDC projects.

Trusting this meets with your approval, I remain

Sincerely,

GERALD W. GRAVES,
Mayor.

Referred to Committee on Economic Development.

DATE: 3/12/81

TO: Council President and
Members of the Lansing City Council

FROM: Gerald W. Graves, Mayor

SUBJECT: Communication from the Chairman of the Foster School Citizens Committee.

The attached communication from the above organization is forwarded to you for informational purposes.

GERALD W. GRAVES,
Mayor.

Received and placed on file.

DATE: 3/12/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Traffic Engineer. Re: Yield Signs at Gier and High Streets.

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Public Property and Safety.

DATE: 3/12/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Traffic Engineer. Re: Request to remove a "No Turn on Red" restriction at Capitol and Main St.

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Public Property and Safety.

DATE: 3/12/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Traffic Engineer. Re: Traffic signing on Monticella Drive at the intersection of Coachlight Commons.

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Public Property and Safety.

DATE: 3/12/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Traffic Engineer. Re: Request for parking in the 300 Block of S. Capitol Avenue on Sundays.

The attached correspondence is forwarded with my cocnurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Public Property and Safety.

DATE: 3/12/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Traffic Engineer. Re: Left turns for truck traffic off Turner Street.

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Public Property and Safety.

DATE: 3/12/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Public Service Di-

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rector. Re: Final Costs on Delta Street Sanitary Sewer.

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Physical Development.

DATE: 3/12/81

TO: City Council President and Members of the Lansing City Council

FROM: Gerald W. Graves, Mayor

SUBJECT: Response to letter of Orrin Sharp on Council Agenda for March 9, 1981.

The attached response is forwarded for your information.

GERALD W. GRAVES,
Mayor.

Received and placed on file.

## RESOLUTIONS

By WAYS AND MEANS COMMITTEE—

Resolved by the City Council of the City of Lansing:

That the appointment of Walter Maner to the Income Tax Appeals Board for a term expiring June 30, 1984, be confirmed.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PUBLIC PROPERTIES AND SAFETY—

Resolved by the City Council of the City of Lansing:

Whereas, the Traffic Board has reviewed a citizen request for STOP signs on S. Holmes Street and Walsh Street; and

Whereas, the Traffic Board recommended denial of the request since YIELD signs are currently in place on Walsh Street at Holmes Street; and

Whereas, the Committee on Public Properties and Safety referred this matter to Citizens District Council No. 2 for review and comment, resulting in a different recommendation from this neighborhood group;

Now, Therefore, Be It Resolved the Lansing City Council hereby adopts the recommendations of CDC No. 2, and authorizes the installation of STOP signs on Walsh Street at S. Holmes Street, and on eastbound Hazel Street at S. Holmes Street.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PUBLIC PROPERTIES AND SAFETY—

Resolved by the City Council of the City of Lansing:

Whereas, the South Baptist Church has requested changes in parking regulations on Moores River Drive between Washington Avenue and Todd Street; and

Wheeras, the Traffic Board has reviewed this request and made recommendations to improve the parking situation; and

Whereas, the Committee on Public Properties and Safety referred these recommendations to Citizens District Council No. 4 for review and comment, resulting in a concurring report; and

Whereas, the members of CDC No. 4 will continue working with South Baptist Church and the rest of the NDA No. 4 neighborhood on traffic and parking matters;

Now, Therefore, Be It Resolved the Lansing City Council hereby adopts the recommendation of the Traffic Board and CDC No. 4, stipulated as follows:

1. No Parking at Any Time for automobiles, Bus Parking permitted on Sundays and after 6 p.m. on Wednesdays, on the north side of Moores River Drive from Washington Avenue to 220 feet west of Washington Avenue.

2. No Parking At Any Time except Sundays, on the north side of Moores River Drive from 220 feet west of Washington Avenue to 395 feet west of Washington Avenue.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PUBLIC PROPERTIES AND SAFETY—

Resolved by the City Council of the City of Lansing:

Whereas, use of City owned/controlled buildings by individuals and groups is desirable for community activities; and

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Whereas, the City has a responsibility to protect both individuals and public properties; and

Whereas, the Administration has pointed out legal liabilities insurance problems and operational difficulties that result from not having a consistent policy to regulate usage;

Now, Therefore, Be It Resolved that no City building be opened to any person or group unless there is designated staff to operate the premises and under no circumstances shall keys be provided to other than properly designated staff; and

Be It Further Resolved that rules governing building usage be promulgated and provided to all departments and provided to private individuals desiring use.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON GENERAL SERVICES—

Resolved by the City Council of the City of Lansing:

Whereas, in accordance with the City Council's resolution of June 16, 1980, the Board of Water and Light has recommended that the accounting firm of Ernst & Whinney be retained to conduct the annual external audit of the Board of Water and Light for the fiscal year ending June 30, 1981;

Now, Therefore, Be It Resolved the Lansing City Council approves the selection of Ernst & Whinney to perform the FY81 external audit of the Board of Water and Light as stated in their proposal of January 28, 1981, for a maximum fee of $24,000.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON GENERAL SERVICES—

Resolved by the City Council of the City of Lansing:

That the Ingham Medical Center's Employee Services Association's request for a 24 hour liquor permit for the 20th of March, 1981, at the Michigan National Guard Armory is hereby approved provided the special license is obtained from the Liquor Control Commission.

Adopted by the following vote:

Unanimously.

By COUNCILMAN WORTHINGTON—

Resolved by the City Council of the City of Lansing:

P-2-79

Glenburne No. 5—Final Plat Approval

Whereas, pursuant to the Lansing Subdivision Regulations, being Chapter 37 of the Code of the City of Lansing, Francis N. Fine has submitted the final plat of Glenburne No. 5 for review and approval; and

Whereas the Planning Board has reviewed the final plat, and, at their meeting of February 17, 1981, recommended approval subject to conditions; and

Whereas the Physical Development Committee of the Council, to whom the report of the Planning Board was referred, concurs therewith;

Now, Therefore, Be It Resolved that the Council of the City of Lansing hereby ordains that the final plat of Glenburne No. 5 be approved subject to the following conditions:

1) That a Deed or Abstract of Title, accompanied by an attorney's opinion as to the marketability of the land, or a Certificate of Title Insurance, be submitted to the City Clerk prior to the filing of the plat and the affixing of the Municipal Seal.

2) That final security be posted in the amount specified by the Public Service Department and the Parks and Recreation Department.

3) That final clearance be given by the Public Service Department and recommendations of the Traffic Engineer and the Board of Water and Light to be adhered to.

4) That all conditions outlined in the preliminary plat be adhered to; and

Be It Further Resolved that the City Clerk be, and she is hereby, directed to notify the proprietor(s) and engineer(s) of the plat of this action and the conditions thereof.

Adopted by the following vote:

Unanimously.

By COUNCILMAN WORTHINGTON—

Resolved by the City Council of the City of Lansing:

P-12-80

Westwood Subdivision No. 2
Public Improvements Waiver

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Whereas, pursuant to Section 37-27, W. Richard Neller, President, representing Walter Neller Enterprises, Incorporated, has requested that the requirements of Sections 37-30(1)(c) and 37-30(2) for the provision of curb, gutter, sidewalks and crosswalks within the plat known as Westwood Subdivision No. 2 be waived; and

Whereas the Physical Development Committee of City Council has reviewed the requested waiver and recommends that a waiver be granted on the sidewalk and crosswalks only and that the curb and gutter be installed as required by Section 37-30(1)(c);

Now, Therefore, Be It Resolved that the Council of the City of Lansing hereby waives the installation of sidewalks and crosswalks, as required by Section 37-30(2) of the Lansing Subdivision Regulations, within the plat known as Westwood Subdivision No. 2, and requires that curb and gutter be installed as provided in Section 37-30(1)(c) of the Lansing Subdivision Regulations; and

Be It Further Resolved that the City Clerk be, and she is hereby, directed to notify the petitioner of this action.

Adopted by the following vote:

Unanimously.

By COUNCILMAN WORTHINGTON—

Resolved by the City Council of the City of Lansing:

P-1-81

Capitol Commons Neighborhood

Urban Renewal Plat

---

Whereas, pursuant to the Lansing Subdivision Regulations, being Chapter 37 of the Code of the City of Lansing, the Fred White Engineering Company, Incorporated has submitted on behalf of the City of Lansing, the Capitol Commons Neighborhood Urban Renewal Plat for tentative preliminary approval; and

Whereas the Planning Board, at their meeting of February 17, 1981, recommended that tentative preliminary approval be granted subject to conditions; and

Whereas the Physical Development Committee of the Council, to whom the report of the Planning Board was referred, concurred therewith;

Now, Therefore, Be It Resolved that the Council of the City of Lansing hereby ordains that tentative preliminary approval of the Capitol Commons Neighborhood Urban Renewal Plat be granted subject to the following conditions:

1) That the final plat be developed with all public improvements as required by the Lansing Subdivision Regulations and the Michigan State Plat Act.

2) That all lots be graded so surface water will drain therefrom, so as not to adversely affect adjacent properties.

3) That the developer utilize an underground electrical distribution system as specified in Section 37-33.1 of the Lansing Subdivision Regulations.

4) That the tentative approval extend for a period of twelve (12) months.

5) That the necessary easements be provided for the installation of utilities.

6) The vacating and official recording of public streets within this project must take place prior to final plat approval; and

Be It Further Resolved that the City Clerk be, and she is hereby, directed to notify the proprietor(s) and engineer(s) of the plat of this action and the conditions thereof.

Adopted by the following vote:

Unanimously.

By COUNCILMAN WORTHINGTON—

Resolved by the City Council of the City of Lansing:

P-2-81

Midfield Subdivision

Tentative Preliminary Approval

---

Whereas, pursuant to the Lansing Subdivision Regulations, being Chapter 37 of the Code of the City of Lansing, Mr. Roy C. Markey has submitted a proposed plat to be known as Midfield Subdivision for tentative preliminary approval; and

Whereas the Planning Board has reviewed the proposed plat and, at their meeting of February 17, 1981, recommended that tenetative preliminary approval be granted subject to conditions; and

Whereas the Physical Development Committee of the Council, to whom the report of the Planning Board was referred, concurs therewith;

Now, Therefore, Be It Resolved that the Council of the City of Lansing hereby grants tentative approval of the preliminary plat of Midfield Subdiivsion subject to the following conditions:

1) That the final plat be developed with all public improvements as required by the Lansing Subdivision Regulations and the Michigan State Plat Act.

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2) That all lots be graded so surface water will drain therefrom, so as not to adversely affect adjacent properties.

3) That the developer utilize an underground electrical distribution system, as indicated by the Board of Water and Light, and as specified in Section 37-33.1 of the Lansing Subdivision Regulations.

4) That this tentative approval of the preliminary plat approval be extended for a period of twelve (12) months.

5) That the necessary utility easements be provided and indicated on the final plans for the installation of utilities.

6) That the turn around on Midfield be indicated on the final preliminary plat.

7) That the developer purchase the lot on Marywood necessary to connect Upham to Marywood prior to final approval of the plat.

8) That all other conditions of the responding agencies be complied with; and

Be It Further Resolved that the lot width variance as requested and shown on the face of the plat be approved; and

Be It Finally Resolved that the City Clerk be, and she is hereby, directed to notify the petitioner of this action and the conditions thereof.

Adopted by the following vote:

Unanimously.

By COMMITTEE OF THE WHOLE—

Resolved by the City Council of the City of Lansing:

Whereas, the Mayor has submitted the name of Mr. Max D. Shunk for consideration and approval to fill the C.A.T.A. Board vacancy created by the untimely death of Mr. John R. Pettibone; and

Whereas, the Committee of the Whole has interviewed Mr. Shunk;

Now, Therefore, Be It Resolved the City Council of the City of Lansing hereby approves and confirms the appointment of Mr. Max D. Shunk to the Capital Area Transportation Authority for a term to expire in June, 1984.

Adopted by the following vote:

Unanimously.

By COMMITTEE OF THE WHOLE—

Resolved by the City Council of the City of Lansing:

Whereas, April 26th through May 2nd, 1981 has been designated as "National Volunteer Week," and

Whereas, Organizations such as the Voluntary Action Center, the Retired Senior Volunteer Program, the MSU Service Learning Center, the American Red Cross, the Ingham County Department of Social Services and many other help to provide innumerable vital services of the citizens of our community through effective volunteerism, and

Whereas, the need to strengthen and support volunteer agencies in the Tri-County area is more critical now as many governmentally funded services are being curtailed,

Now, Therefore Be It Resolved, the City Council of the City of Lansing hereby concurs wholeheartedly in the designation of April 26th through May 2nd as National Volunteer Week and officially declares Wednesday, April 29th, 1981 "Volunteer Recognition Day" in Lansing, and

Be It Further Resolved, a copy of this resolution shall be presented to the Awards program to be held on April 29th.

Adopted by the following vote:

Unanimously.

By COMMITTEE OF THE WHOLE—

Resolved by the City Council of the City of Lansing:

Whereas, Lansing Eastern High School alumnus Jay Vincent excited the entire community when he decided to attend Michigan State University; and

Whereas, Jay's basketball career as a Spartan includes a variety of achievements, including:

—Member of NCAA Championship team in 1979

—Big 10 Scoring Champion in 1980 and again in 1981

—A four-year total of 1,914 points scored placing him Second on MSU's all-time scoring list

—MSU's Most Valuable Player in 1980, with 1981's vote yet to be taken

—Member of the All Big Ten Team in 1980 and 1981

—Spartan co-captain in his senior year, leading the team with 22.6 points per game average for the season, and 24.1 points per game average in the Big 10.

Now, Therefore, Be It Resolved, the Lansing City Council hereby offers heartiest congratulations to Mr. Jay Vincent for his outstanding accomplishments at MSU, and wishes him every success in his professional career; and

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Be It Further Resolved, the City Council, plus family, friends, admirers, and fans all say: "Thanks, Jay, for doing it all here at home!"

Adopted by the following vote:

Unanimously.

## ZONINGS

By COUNCILMAN WORTHINGTON—

Whereas, it is deemed desirable to amend the Classification provided for in the Zoning Code of the City of Lansing, passed on the 13th day of November, 1958, in the following particulars, viz:

That property described as:

Z-20-69 — Properties at 309, 307 N. Walnut Street, 408-412- 416, 418, 420, 426 West Ionia Street and 310 N. Chestnut Street,

be re-zoned from "D" Apartment District to "D-1" Professional Office District and the "Map" be changed to indicate such transfer;

Therefore, be it resolved, that the City Clerk shall give at least fifteen days notice of a Public Hearing when all persons interested may attend and make any objections they may have to such proposed changes in said Zoning Code.

Resolved further, that such hearing shall be held at the Council Chamber in the City Hall on the 6th day of April, 1981, at 7:00 o'clock p.m., and that notice of such hearing be published in the offical publication of said city, as required by law.

Adopted by the following vote:

Unanimously.

By COUNCILMAN WORTHINGTON—

Whereas, by petition duly filed on the 1st day of December, 1980, this council was petitioned to change the following described property from "B" One Family Residential District to "F" Commercial District all as set forth in the Zoning Code of this city, and

Whereas, at such hearing held on the 2nd day of March, 1981, all parties interested therein were heard and given due consideration, and

Whereas, the property involved is described as:

Z-45-80 — 700 Block of Call Street. More particularly described as:

Parcel No. 3301-03-310-191. The east 20 feet of Lot 106, North Lawn Subdivision, City of Lansing, Ingham County, Michigan;

from a "B" One Family Residential District to an "F" Commercial District.

Whereas the Planning Board, at their meeting of January 20, 1981, recommended that the petition be approved, subject to conditions; and

Whereas the Physical Development Committee of the Council, to whom the report of the Planning Board was referred, concurs therewith;

Now, Therefore, Be It Resolved that the Council of the City of Lansing hereby ordains that the petition to rezone the above described premises from a "B" One Family Residential District to an "F" Commercial District be approved subject to the provision of screening in accord with the requirements of Article XVI, Landscape, Screening and Buffering Ordinance, of the Zoning Code; and

Be It Further Resolved that the City Clerk be, and she is hereby, directed to notify the petitioner of this action and the conditions thereof.

Adopted by the following vote:

Unanimously.

By COUNCILMAN WORTHINGTON—

Whereas, by petition duly filed on the 17th day of November, 1980, this council was petitioned to change the following described property from "C" Two Family Residential District to "F" Commercial District all as set forth in the Zoning Code of this city, and

Whereas, due notice as required by law has been given for a public hearing on said petition, and

Whereas, at such hearing held on the 2nd day of March, 1981, all parties interested therein were heard and given due consideration, and

Whereas, the property involved is described as:

Z-43-80 — Vacant land formerly known as 328 South Butler Boulevard.

More particularly described as:

Parcel No. 3301-17-430-211. The south ½ of Lot 21, Block 10, Bush, Butler and Sparrow's Addition, City of Lansing, Ingham County, Michigan;

from a "C" Two Family Residential District to an "F" Commercial District.

Whereas the Planning Board, at their meeting of January 20, 1981, recommended

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that the petition be approved subject to conditions; and

Whereas the Physical Development Committee of the City Council, to whom the report of the Planning Board was referred, concurs therewith;

Now, Therefore, Be It Resolved that the Council of the City of Lansing hereby ordains that the petition to rezone the above described premises from a "C" Two Family Residential District to an "F" Commercial District be approved subject to the following conditions:

1) That the legal description be consolidated to include 3301-17-430-201 and 3301-17-430-211;

2) That the subject property be used primarily to provide on site parking for the commercial building to the south;

3) That it be understood that the balance of the subject property can be utilized for a building addition subject to applicable building and Zoning Code requirements;

4) That the Landscape, Screening and Buffering Ordinance regulations be adhered to;

5) That all other requirements of the responding agencies be complied with; and

Be It Further Rseolved that the City Clerk be, and she is hereby, directed to notify the petitioner of this action and the conditions thereof.

Adopted by the following vote:

Unanimously.

COUNCILMAN BLAIR left the session.

By WAYS AND MEANS COMMITTEE—

Resolved by the City Council of the City of Lansing:

That the following transfers be approved:

$ 3,650.00 from Utilities—Washington Mall
A/C 101-718-101-920

435.00 from Overtime Hourly—
Washington Mall
A/C 101-718-101-709

$ 3,650.00 to Wages—Hourly
Washington Mall
A/C 101-718-101-706

335.00 to Operating Supplies—
Washington Mall
A/C 101-718-101-740

100.00 to Gasoline—
Washington Mall
A/C 101-718-101-751

$12,500.00 from General Fund—Fund Balance
A/C 101-000-000-390

$12,500.00 to Reserve for Contingency
A/C 101-941-000-963

$12,500.00 from Reserve for Contingency
A/C 101-941-000-963

7,000.00 from Retained Earnings
A/C 590-000-000-395

$ 5,000.00 to Temporary Help—
Accounting Division
A/C 101-201-000-707

7,500.00 to Professional Services—
Accounting Division
A/C 101-201-000-801

7,000.00 to Professional Services—
Admin.
A/C 590-536-000-801

I hereby certify that this is a properly drawn and eligible transfer.

JAMES W. DOWSETT,
Finance Director.

Approved:

TERRY J. McKANE,
WILLIAM A. BRENKE,
Ways and Means Committee.

Adopted by the following vote:

Yeas: Councilmen Adado, Belen, Brenke, Lindemann, McKane, Worthington—6.

Nays: 0.

## INTRODUCTION OF ORDINANCE(S)

The following ordinance(s) of the City of Lansing, Michigan providing that the Code of Ordinances be amended by:

Revising sections 27-35 and 27-58 to increase monthly sewage and inspection rates in order to offset a portion of the increased maintenance and operation costs, and further, to eliminate the charges assessed pursuant to the metropolitan landel sewer district so that sewer rates are consistent through the City of Lansing;

was introduced by Councilmen McKane and Worthington, read a first and second time by its title(s) and referred to the Committee on Physical Development and Committee on Ways and Means.

By COUNCILMAN McKANE and WORTHINGTON—

Resolved by the City Council of the City of Lansing:

That a public hearing be set for March

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30, 1981 on the Ordinance providing that the Code of Ordinances be amended by revising sections 27-35 and 27-58 to increase monthly sewage and inspection rates in order to offset a portion of the increased maintenance and operation costs, and further to eliminate the charges assessed pursuant to the Metropolitan Landel sewer district so that sewer rates are consistent through the City of Lansing.

Adopted by the following vote:

Unanimously.

By COUNCILMAN McKANE—

Resolved by the City Council of the City of Lansing:

That Councilman Gunther be excused from the session.

Carried.

**REMARKS BY THE MAYOR'S EXECUTIVE ASSISTANT**

No remarks.

**REMARKS BY THE CITY COUNCIL**

Geo. Sinadinos spoke.

By COUNCILMAN ADADO—

That this meeting stand adjourned.

Carried.

Council adjourned at 8:10 p.m.

THEO FULTON,
City Clerk.

Lansing, Michigan

March 16, 1981

B

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CITY CLERK'S OFFICE
Room 921, City Hall
Lansing, Michigan 48933

Address Correction Requested

BULK RATE
U. S. POSTAGE
PAID
Permit No. 1461
Lansing, Michigan



# OFFICIAL PROCEEDINGS OF THE CITY COUNCIL OF THE CITY OF LANSING

## Proceedings, March 23, 1981

CITY COUNCIL ROOMS

Lansing, Michigan

March 23, 1981

The City Council of the City of Lansing, Michigan, met in regular session and was called to order by President Belen.

Present: Councilmen Adado, Belen, Blair, Brenke, Lindemann, McKane, Worthington —7.

Absent: Councilman Gunther—1.

The Clerk announced that a quorum of the Council was present.

Invocation was given by Councilman Lindemann.

Pledge of Allegiance was led by Councilman Lindemann.

By COUNCILMAN ADADO—

That the rules be waived so that the following presentations can be made.

Carried.

Along with the presentation of a resolution of tribute to Lt. Roy Zigler the State of Michigan, Department of Public Health presented a certificate of tribute.

By COUNCILMAN ADADO—

Resolved by the City Council of the City of Lansing:

Whereas, the 1981 Basketball Team from Lansing Eastern High School has concluded another season as a powerhouse among Michigan's Class 'A' teams; and

Whereas, the Quakers compiled an overall season record of 25 wins and two losses, while going unbeaten in the Capital Area Conference to win its championship; and

Whereas, Coach Paul Cook and his magnificent team were headed for a classic rematch confrontation with Flint Central H.S. for the State Class 'A' championship, but were nipped by Detroit Murray-Wright H.S., 82 - 81, in a heart-pounding, nerve-shattering, triple-overtime semi-final game;

Now, Therefore, Be It Resolved the Lansing City Council hereby commends and congratulates the 1981 Eastern High School

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Basketball Team and Quaker Coach Paul Cook for yet another outstanding season which set the pace for other Class 'A' teams to match; and

Be It Further Resolved members of the City Council, on behalf of the citizens of Lansing, hereby express their continuing pride in these fine young men.

Adopted by the following vote:

Unanimously.

By COMMITTEE OF THE WHOLE—

Resolved by the City Council of the City of Lansing:

Whereas, the provision of emergency medical services is of critical importance to the health and well being of the citizens of Lansing, and

Whereas, the Lansing Fire Department has provided outstanding emergency medical care to our citizens, and

Whereas, Lt. Roy L. Zigler is responsible for coordinating the emergency medical services program within the Lansing Fire Department and has provided exceptional leadership for his fellow firefighters/EMTs, and

Whereas, Lt. Roy L. Zigler has been instrumental in developing the various training programs which are so essential to the provision of effective emergency medical services, and

Whereas, Lt. Zigler has unselfishly given hours of his own time and effort which have fostered a spirit of cooperation among the varied organizations, agencies, and individuals comprising the emergency health care team in Lansing,

Now, Therefore, Be It Resolved, the City Council of the City of Lansing hereby extends its sincere gratitude to, and appreciation to Lt. Roy L. Zigler for his exemplary performance and dedication to the provision of first quality emergency medical services to the residents of our community.;

Adopted by the following vote:

Unanimously.

Mayor Graves presents 1981-82 Budget.

March 23, 1981

Council President Lucile Belen and
Members of the Lansing City Council

10th Floor, City Hall

Lansing, Michigan 48933

Dear Council President and Members:

In accordance with the provisions of Article 7, Section 7-101-104, and the provisions of Act 621 of the State of Michigan (Uniform Budget Act), I am herewith submitting my Twelfth Annual Recommended Budget for Fiscal Year 1981-82. My Recommended Budget is the result of painstaking efforts on the part of the administration and Boards to develop reasoned, economical alterntives to the myriad problems facing our City. No one can deny that the State of Michigan is in a deep recession. That recesion, the dismaying state of the automative industry, especially in Michigan, and the cutbacks at Federal, State and local levels are having a pronounced negative impact on the City of Lansing and the entire surrounding community.

We are faced with declining revenue in many areas, particularly those for street maintenance and improvements, and, simultaneous increases in costs for staff, for gasoline, for insurance and for all operating costs. At the same time, we must address the ever growing frustration with property taxes in our State. The public sentiment clearly demands that we take major steps toward controlling the escalating costs of government services at all levels, even if such steps include reducing our expectations for high service levels from government.

To address these pressing issues, I am proposing a Recommended Budget for Fiscal Year 81-82 of $69,357,524 for all services from all funding sources. The General Fund/Revenue Sharing Recommended Budget will total $50,255,926, with $47,812,706 for operations, $2,143,220 for Capital Development and Capital Improvements, and $300,000 as a contingency fund. This budget represents only a 5% increase over the current year adjusted budget despite the 10%-13% increases in labor costs including fringe benefits required by the labor agreements, and the rapid increase in other costs cited above. As you can see, to keep expenses within resources while these costs rise faster than revenues, we must cut back.

I am also recommending a property tax decrease of 1.15 mills per thousand dollars of State Equalized Valuation for a total City property tax levy of 10.92 mills. Of this recommended property tax levy, 10.25 mills are for operations and .67 mills are for debt service. This will bring us to an average cost for the owner of a $35,000 home to $191.10 in property taxes for City services. My Recommended Budget addresses the task of reducing the number of City staff, implements numerous cost cutting measures, improves effectivenes of service delivery and brings the focus of City services back to critical areas.

This task is extremely difficult and will not occur without loud complaint from some special interest groups. However, we literally cannot afford to let the demands of the very few outweigh the pressing concerns of the vast majority of our citizens. In good economic times, the City has expanded into numerous discretionary activities that

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are niceties. At this point, we must forego the niceties in favor of the necessities.

Our economic future is still uncertain. The action of the Congress on President Reagan's proposed budget cutbacks, the pending property tax reform at the State level and the continuing recession in the auto and housing industries may make our financial position much weaker in the upcoming year. We will have to closely monitor all these factors throughout the next twelve months. But, despite the very real potential for one or more of these factors to worsen our revenue picture, and despite the fact that tax bills will rise regardless, due to the high percentage of total proposed tax levy that goes to other units of government — 82% — of which 59% is for the School District, 18% is for the County, and 5% is for the Community College, I firmly believe that the City, which only receives 18% of this tax levy, has to demonstrate its good faith response to the concerns of our citizens by cutting taxes and cutting back on staff, finding cheaper alternative methods of operation and reducing services in discretionary areas.

Many individuals have questioned the advisability of a tax decrease in light of overall economic problems in our State. I can recommend such a decrease only in conjunction with the recommended corresponding reduction in programs and operating costs.

My department heads have advised me that proposed reductions, identified by the department themselves, are viable and cost effective. We have mutually agreed on workable options that will minimize impact in direct services to the public. However, these recommendations require three things — diligent management of resources by the departments, support from my office and support from the City Council. The first two requirements are met; I ask you as City Council to insure that third essential element is provided.

No one will argue that this is a difficult task. The department heads have expressed apprehension that proposed reductions will not be matched by recognition that such reductions will result in some complaints. They feel that they have reasonable and supportable answers to those few complaints if no expectation is given to the public that we can perform the miracle of accomplishing the mutually exclusive tasks of cutting down costs and delivering all services and programs at the same or increased levels. The way to cut back in government is to promote public awareness of and support for the fact that every service, every program, every regulatory requirement has a price tag and that every citizen helps pay the bill.

The City of Lansing, like every local community, is heavily burdened by costs not under its control. The impacts of State law, of court decisions and of arbitration decisions in labor matters force huge economic burdens on cities regardless of a city's ability to pay. To pay these costs, which have no increase in productivity associated with them, and in fact, often decrease productive time of employees, we must devote an ever increasing percentage of our available resources to the detriment of service delivery. Lansing is not unique in this. The City, like any business entity, must accept these factors as a cost of operation. Unlike a business, however, we cannot adjust the price tag and allow each citizen to buy or not as they choose. When we are forced to raise prices it is in the form of a tax levy and the individual taxpayer has no option but to pay.

One major way that we can alleviate this burden on the average citizen is to put more programs and services that are specialized in nature on a more consumer oriented basis. Let them be optional — base these programs on fees and charges that are at the choice of the user. For example, in programs such as golf courses and special adult recreational activities, let people choose if they want to participate. Don't force everyone to subsidize such programs. Bring Lansing into a more realistic view of what government can reasonably do for the few at the expense of veryone. For example, the City of Lansing is one of only three cities in Michigan still paying out of its general fund tax dollars for streets in new subdivisions. Such costs are part of the cost of development and should be borne by the developers. It is our responsibility to maintain those streets, but it is not reasonable to continue to pay for something which is purely a discretionary expenditure and is not the prevalent practice throughout our State. I recommend that you act promptly, amend the ordinance, and eliminate this cost to the general taxpayer.

My Recommended Budget is a thoughtfully balanced effort to respond to financial liimtations, while adressing critical service needs. No department is exempt from the need to have all operations examined and their relative importance to the City as a whole assessed. You adopted policy which I recommended to you on City-wide priorities to insure that life-threatening or hazardous situations and legal regulatory requirements will take precedence over discretionary activities. My Recommended Budget implements this policy.

There was concern as to whether this policy required that no changes be effected in public safety departments. My recommendation and your policy were very clear on this. Not every task and every program in these departments is mandated; many things are discretionary and can be done in alternative ways or deferred altogether. My Recommended Budget deals with the need for reductions across the board in City government. Every department is being required to address this need.

As you will see in the detail of my recommendations, approximately 76% of all City revenues go for salaries and fringe benefit costs. There is no way to seriously and meaningfully limit cost escalation unless we reduce the number of personnel. I have been able to meet this need with-

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out having to resort to massive layoffs. Through carefully considered changes in staffing levels, reassignment of personnel and use of a moratorium, I am able to recommend the elimination of funding for 32 positions while adding 8 positions into reorganized duties in the Parks, Public Service and Fire departments. This will reduce our planned expenditures by $653,000 for the up-coming year. I have recommended further that the authorization for some of these positions be retained but that they be retained as unfunded. In this way, if some critical problem arises, we will be able to address it promptly. My department heads have recommended this approach in light of the economic climate and I believe it is a prudent, reasonable one.

My Recommended Budget addresses several major problems of concern to the community. I would like to comment briefly on the most significant of them.

STREET MAINTENANCE — As you are aware, the monies received for street maintenance repair and construction come from the Act 51 — Gas and Weight Tax distribution from the State of Michigan. Over the past year, while costs of labor, gasoline and supplies have risen 13-15%, our revenues from this source have actually declined 11%. This has had a traumatic effect on our ability to repair and maintain our major and local streets. For the first time in history we are faced with both a reduction of service and a need to fund even these reduced levels with a $500,000 subsidy from the General Fund. Fund balances in both the Major and Local Streets Funds are completely depleted at this point. The failure of the proposed Street Improvement Bond Issue in 1979, to receive voter approval leaves us without recourse. We do not have clear voter support for needed major street improvement projects. We must now measure these needs against the needs for Police, Fire, recreation and other City services.

I have decided that the needs in this area are critical and must be addressed even if this necessitates reductions elsewhere. I am recommending $715,000 for street resurfacing, of which $366,000 is for local streets from the General Fund. This is a major new demand on the General Fund. To address it, I am recommending concurrence with a number of recommendations from the Public Service Director, Board and Budget Director to reduce expenditures in less critical areas. By modifying maintenance schedules for activities such as plowing after small snowfalls on weekends, we can manage — barely — to live within our resources. However, I must warn you that if no change in the Gas and Weight Tax formula is made by the State of Michigan during the up-coming year, we are faced with drastic reductions next year. The vast majority of communities throughout the State have already reached that condition. We cannot ignore it; we cannot control it. We must be prepared to deal with it with the clear recognition that there is no relief in sight.

LANSING GENERAL HOSPITAL — We have a problem in our southwest community with regard to access to Lansing General Hospital. The City Council last year acted to demonstrate their concern with this problem. After numerous meetings with the representatives of Lansing General and with City administrators, I am very pleased to be able to recommend a solution which will resolve the problem within our fiscal resources and which is agreeable to Lansing General and the surrounding residents. Specifically, my Budget Recommendation includes $375,000 for site acquisition as the first phase of a two phase plan to construct an access from Pennsylvania to Alpha Street, south of Greenlawn and eliminate the heavy traffic on surrounding residential streets. Lansing General Hospital will participate in this project and there will be no requirement for any special assessment of surrounding homes and businesses. Further details are contained within the Budget Analysis.

REFUSE COLLECTION PROGRAM—As you are aware, the City has been faced over the past several years with the simultaneous need to increase the orange bag rates while also increasing the General Fund subsidy for the trash collection program. This situation has again confronted us. However, I am extremely pleased to state that through the combined efforts of the Public Service Department and the Budget staff we have been able to develop some creative alternatives to avert the need either for an increased subsidy or an increase in bag rates. To accomplish this, I am recommending a number of changes. First, I recommend that Refuse Packers be purchased through the Service Garage Fund and rented back to the Refuse Division. This will assure adequate equipment replacement and maintenance and will reduce the cost of this program.

Another major recommendation is to institute a system for bulk pick-up, which charges a small fee for this service, and to begin utilization of orange bags for leaf pick-up. These two changes will increase revenues by approximately $104,000 which will allow us to retain the current orange bag rate of 12 bags for $5.00. You are well aware of the expense if you have to have a private hauler pick up bulk items. However, as currently done, everyone must share the cost for bulk pick-up despite the fact that they do not use the service. The same holds true for leaf pick-up. The orange bag rate, and property taxes, support the leaf pick-up in the amount of $74,000. To utilize orange bags, a minimal cost of approximately $1.00 - $1.50 would be incurred by any given family, but the alternative is to have regular orange bag users and homeowners pay the cost for leaf pick-up for those not paying property tax or very occasional orange bag users.

I have been extremely concerned with ways to hold down property taxes and have costs to citizens be more directly related to services rendered. I do believe that the above recommendations achieve this goal.

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VEHICLE COSTS — The unprecedented increases in cost of gasoline, diesel fuel and other vehicle operating costs have forced a comprehensive reassessment of our vehicle use and policies. Last year, I reduced 15 vehicles, 10% of the civilian (non-police patrol) fleet, from our total fleet. Despite this reduction, and despite efforts of the administration to limit vehicle usage, we paid $76,156 more than the year before for 42,750 gallons less fuel. At the same time, capital costs for vehicles have jumped 42% in two years and resale values have dropped as a percentage of cost. All City cars are used daily for operations. Usage has been doubled up to assure that no vehicles are retained which are not warranted. Despite this, the projected costs for vehicle replacement for cars which would historically have been replaced in the up-coming year would have been $200,000 higher than last year. I find this completely unacceptable. The Director of Administrative Services has recommended, in conjunction with the use of the Mainstem fleet management system, that 24 vehicles in the unmarked fleet not be replaced this year at a reduction of $100,000 from last year's budget for vehicle replacement. I concur in this. Further, the Vehicle Replacement Sub-Committee has recommended adoption of a proposal by the Budget Director that a one-year trial be made on transferring selected police patrol vehicles due to be replaced from the patrol fleet into the civilian fleet after repainting. This would allow an additional savings of $48,000.

Again, I can recommend these as alternative approaches which cut costs substantially.

DAY-IN-COURT — Another area for potential increase in efficiency and reduction in costs can be achieved by establishing a closer cooperation in scheduling between the District Court and the Police Department. We have had several meetings on the subject and the Court and Police Department have agreed to establish on Officer's Day-in-Court to handle traffic citations. This will decrease the number of separate times officers have to appear in court, thus increasing their time on patrol, and decreasing overtime requirement. I have, therefore, reduced $30,000 from Police overtime requests. A greater savings potential may be realized. I wish to express my appreciation to the Courts and the Police Department for their efforts to achieve this.

These recommendations are examples of cooperative effort on the part of my administration to identify workable, efficient cost reduction measures which minimize service impact. I wish to publicly commend the administration and the elected official departments for their diligent efforts on this. Original budget submissions, which provided for no new programs or personnel, were over $3 million above my final recommended budget. It took months of staff effort to identify alternatives, assess their feasibility and determine service impact. You all know that these efforts cannot be effective without honest, open, cooperative interactions between departments and with me. I hope and trust that you will recognize these efforts and act to deal with these recommendations in a similar spirit.

SPECIAL ISSUES — The City of Lansing is again faced with competing demands to fund brick and mortar improvements such as street maintenance, Community Center renovations at Foster Street, park improvements, building maintenance, and numerous other such items. We are also being asked to sustain many City supported agencies in the human service, arts and special program areas.

I have carefully reviewed the needs, the resources and your policies on City-wide priorities. I have had some difficulty in preparing my recommendations since some of these policy statements are incompatible. That is, your adopted City-wide priorities clearly mandate that cut backs, when necessary, should occur predominately in discretionary areas such as Capital Development and recreation and human service programs. At the same time, you have adopted a policy that Human Service programs receive 1% of the budget over and above the staff required to monitor such services. You have also adopted policies to increase recent recreational programs in several areas. You have increased Capital Development commitments. I have examined these policy directives carefully.

As a result of this examination, and in order to most fully address your policy direction within the very real resource limitations, I am recommending a careful blend of programs and services that assumes no one group or program is forced to support the brunt of the need for budgetary constraints. At the same time, no one group or program can be exempted from this clear need. To achieve this blend, I am recommending:

CAPITAL DEVELOPMENT AND IMPROVEMENTS — $2,143,220

Legally Committed — $1,074,220. The following projects are legally committed or legally required activities on the part of the City. As you are aware, the City has made major commitments of future resources in these areas.

Aurelius Road Landfill — Required by the State Department of Natural Resources. $600,000

County Drain Projects — This is the City portion of drain improvements $125,220 + C.F.

Diamond-Reo Site Improvements — The City is obligated in conjunction with the Federal grant for demolition of the Reo plant to improve utilities and other site conditions. There are also funds for this activity in the Title IX Grant and the Community Development 7th Year Program. $150,000

1981 Blacktop Construction—These funds are to blacktop streets in new subdivi-

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sions. As stated above, I recommend that the City ordinance mandating this expenditure be revised. $110,000

Lake Lansing Dredging — This is the fourth payment under our contract with Ingham County on this project. $25,000

Kaynorth Park Acquisition — This acquition is required from the original platting of this development. $24,000

Circuit Court Facility — City share of Circuit Court facilities. $40,000 + C.F.

DISCRETIONARY PROJECTS — $1,069,000 General Fund

After we have addressed existing commitments there are many other needs we might wish to meet. Unfortunately we, like every other community, have more needs than funds. I have studied the recommendations of the staff Capital Improvements Technical Coordinating Committee and am recommending the following:

Street Resurfacing — Funds for resurfacing local streets. Although we do not have enough funds for all needed resurfacing, this recommendation will allow work on the most critical areas throughout the City. This is an 80% increase in General Funds for this purpose, which is necessary to offset the drop in Act 51 street funds. I have also recommended that all resurfacing of local streets and alleys be prioritized on the basis of need to address the most critical areas. $366,000 G.F.

Additionally, I am recommending funding for major street resurfacing and reconstruction of major streets at a level slightly higher than last year. Again, the fall-off of Act 51 funds seriously hurts our ability to keep up with street programs. $349,000 Act 51

Curb and Gutter Repair — I have recommended that a greater priority be given directly to street resurfacing. Curb and gutter repair is needed but consequences of deferring it are not nearly as disruptive. I am, therefore, recommending a 60% increase in General Funding of this program compared to the 80% increase for resurfacing. $200,000 G.F.

Lansing General Access — As mentioned earlier, I am recommending the first phase of this project. $375,000

Miller Road — To alleviate the hazard of crossing Miller Road, staff has recommended installation of a traffic signal to increase safety, particularly for Senior Citizens and children. $14,000

Oak Park-Gas Pumps — To eliminate a safety hazard when fueling Park Department trucks. $20,000

City Portion-Storm Sewers — the required City portion for installation of oversize mains at collection sites. $50,000

Cemetery Building — To replace the operations building due to severe electrical and physical plant deterioration. $44,000

HUMAN SERVICE PROGRAMMING — Again, the needs are great and resources limited, most particularly in the area of recreational programs and human services. The desire to fund numerous human service programs must be considered in light of our overall fiscal plan. I believe we have no choice but to make some reductions in this area. The State of Michigan, Ingham County, East Lansing and United Way have already made reductions, many of which were major, in their funding of human service programs. We cannot be expected to fill the gap created by all those cut backs. Human service programming is not our primary function or highest priority. While we are making cuts in our basic service programs, we must also do the same in human services.

Despite my strong desire to put a greater proportion of our resources into such things as street repair, I am adhering to your policy guidelines by recommending only limited reductions in human service funding. My Recommended Budget includes $521,500 for such programs. I believe this is consistent with my recommended levels of funding for all City operations. I hope you examine these recommendations in the context of all demands on resources.

EDUCATION AND TRAINING — There has been considerable concern from the Council with regard to insuring an adequate training program for staff, particularly in areas of management skills. I have formally implemented both a mangement training program in conjunction with Lansing Community College and established formal Standard Operating Procedures to assure effective and equitable availability of training opportunities throughout the City. The $40,000 recommended for Education and Training does not allow large scale programs. However, in light of economic considerations, I feel that we again must accomplish all that we can with limited resources.

STANDARD OPERATING PROCEDURES — As you are aware from copies of the Standard Operating Procedures I have sent you for several areas of operations, the administration has been developing, formalizing and implementing its procedures. While this task started after the adoption of the new City Charter, it is an on-going one which will take several years to complete.

The purpose of these procedures is to provide clear cut administrative direction, to eliminate ambiguity and to facilitate operations. Good administration requires clear guidelines from the top. I wish to keep you apprised of the development of the administrative procedures so that you can be assured that comprehensive, integrated and effective management controls are being provided.

I bring this up because I believe that two

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areas currently in development are of significant interest to you. First,

Affirmative Action — I did this to insure that the guildelines are clear and that every department adheres to them. These procedures prepared by the Human Relations Department are currently being reviewed by the Administrative Procedures Committee chaired by the Administrative Services Director. I will forward copies to you in the near future.

Personnel — I have discussed with the Personnel Department the develpoment of written procedural guidelines for personnel matters. The Personnel Department will be preparing these in the near future. Again, I will be forwarding copies for your information upon implementation.

PROPERTY TAX LIMITATION — My Recommended Budget and proposed tax levy are predicated on the current property tax system. As you are aware, the Michigan Legislature acted last week to place a proposed Constitutional Amendment on property tax reform on the ballot for a May 19, Special Election, an amendment I fully endorse. The proposal, if adopted by the voters, will have some initial impact on the ciites and will affect future property tax revenues. While the proposed amendment requires 100% reimbursement to local units of government for the 50% reduction in property taxes, there is, also a 6% annual growth limit in assessments. You will NOT BE ABLE TO SPEND WHAT IS NOT ALLOWED. Should this amendment pass, it will necessitate re-examining our financial forecast and long term plans this Summer, or early Fall. We can and must adopt our budget and tax levy according to the City Charter. However, we cannot ignore the necessity to closely monitor, and reassess, our long term plans as such dramatic changes occur.

Too, we must keep in mind that property taxpayers, at all levels, are clearly saying "enough is enough". This concern is being proven in the Nation's Capitol, at this very moment. This is being proven in the State Capitol, and at this very moment. The time is here.

CONCLUSION—My Recommended Budget for Fiscal Year 1981-82 is five percent over the present year. The tax levy is a $1.15 total decrease from the present, and actual property taxes collected will be $86,000 below collections for Fiscal Year 1980-81, even though there have been substantial assessment increases.

This expresses my concern with effective, efficient alternatives to the problems facing the City of Lansing and Michigan as a whole. Anyone can defeat attempts to achieve good financial and operational management by ignoring the need to look at resources and commitments as an integrated whole. I caution you to avoid the temptation to neglect implications and fiscal impacts of decisions on issues reviewed in isolation. If you do, you can force Lansing into a fiscal and operational crisis that can and should be averted. We must work together to achieve the best results overall for our citizenry. To do less is irresponsible. The Administration is committed to work with you and your staff to assure that everyone has a clear understanding of our fiscal resources, our service alternatives and the impacts of decision options.

Sincerely,

GERALD W. GRAVES,
Mayor.

Referred to Committee of the Whole.

**THE PUBLIC MAY NOW ADDRESS THE CITY COUNCIL ON ANY OF THE FOLLOWING ITEMS LISTED ON THE AGENDA: COMMUNICATIONS AND PETITIONS, COMMITTEE REPORTS, REPORTS OF CITY OFFICERS AND BOARDS, AND RESOLUTIONS. YOU MAY SPEAK ONLY FOR 3 MINUTES ON ANY O NE ITEM.**

The following persons spoke:

Berniece Shetterly, 1619 Herbert St., spoke as member of Board of Review.

Bobbie Bancroft, 3313 Radford spoke in regard to Monticello St.

Kathey Kochendorfer, 1513 Donora, spoke opposing "Tot Lot" at Baker and Donora Streets and presented her statement on same.

Copies to be given to Councilman Brenke and Blair.

Clare Huntington spoke relative parking lot in back of 2000 block E. Michigan Ave.

Donald Frost, 4406 Ingham St., spoke relative Roy Markey property.

Tom Fuller, 4005 Devonshire, spoke on Resolution No. 2.

James Ellison, 407 S. Logan St., spoke on problem on Grovenberg Rd.

Richard Davis, 1408 W. Hillsdale St., spoke relative Riverfest "81."

Mildred Ceasar, 1436 Ada St., spoke relative "Tot Lot" at Baker and Donora Streets.

Betty Draher, 1514 Donora St., spoke on "Tot Lot."

Ellen Moore, 210 N. Logan St., spoke relative Housing units.

Ruth Heuer, 1807 Donora St., spoke in support of "Tot Lot."

Suzanne Leonard, 1507 Donora St., spoke.

Walter Norris, Lansing Housing Commission spoke.

President Belen called for a 10-minute recess — Council recessed at 9:15 p.m. and reconvened at 9:25 p.m.

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## COMMUNICATIONS AND PETITIONS

The following appilcation and bond was filed for licenses:

AUCTIONEER —
Gordon Davis.

Referred to Committee on General Services.

Summons filed in Circuit Court by Harold Melbourne Shaffer and Erma Shaffer vs City of Lansing and William Patrick Kraft in connection with traffic accident.

Referred to Mayor, City Attorney.

The following claims have been filed:

CNA Insurance Company representing estate of Nancy Wood Holmes for damage done to an Urn at Mt. Hope Cemetery.

Karl A. H. Bohnhoff, Attorney, representing Evelyn Krantz and Betty Waite in regard to traffic accident.

Referred to Mayor, City Attorney.

Petitions filed for rezoning:

Z-11-81 —

The West 2 rods of South ½ of Lot 23 and the West 2 rods of Lot 24, Block 21, Original Plat, City of Lansing, Ingham County, Michigan, from "C" Two Family Residence District to "G" Business District — (417 Monroe Street).

Z-12-81 —

The south ½ of Lot 6 of Block 22, Original Plat, City of Lansing, Ingham County, Michigan from "C" Two Family Residence District to "G" Business District — (736 Center Street).

Z-13-81 —

The west 6 rods of length of south ½ of Lot North 22, Block No. 21, Original Plat, City of Lansing, Ingham County, Michigan from "C" Two Family Residence District to "G" Business District — (808 Center Street).

Referred to Mayor, Planning Board.

Letter from James W. Wilson asking permission to repeal ruling in regard to set back for a sign in "J" Parking Area.

Received and placed on file.

Requests filed for special 24-hour liquor permit for:

The International Brotherhood of Electrical Workers, Local Union 665 Sports Booster Club — April 4, 1981 — National Guard Armory.

Soul Incorporated — April 3, 1981 — Washington Street Armory.

Referred to Committee on General Services.

Petition filed in opposition to the construction of a "Tot Lot" at Baker and Donora Streets.

Referred to Mayor.

Letter from Clair W. Huntington in regard to the parking lot that was established in back of the stores in the 2000 block of East Michigan Avenue and ask for consideration on easements to properties.

Referred to Mayor, City Attorney.

Letter from Donald A. Frost in regard to building permits that were given to certain persons to build on to their house when his was denied.

Referred to Mayor, Planning Department and Committee on Physical Development.

## MAYOR'S EXECUTIVE ASSISTANT COMMENTS ON ANY ITEM ON THE AGENDA

No comment.

## REPORTS OF COMMITTEES

The COMMITTEE ON GENERAL SERVICES approves the following application and bond for license:

AUCTIONEER —
Gordon Davis.

Signed:

WILLIAM A. BRENKE,
PAT LINDEMANN,
TERRY J. McKANE,
Committee on General Services.

By COUNCILMAN BRENKE—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

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The COMMITTEE ON PHYSICAL DEVELOPMENT, to whom was referred the ordinance of the City of Lansing providing that the Code of Ordinances be amended by adding a new section to be numbered section 36-116.7 to provide for an amendment to the amended Physical Development Plan for NDA No. 3 within the City of Lansing for the acquisition of property at 1539 N. High St., reports as follows:

That said ordinance be passed.

Signed:

SIDNEY P. WORTHINGTON,
LUCILE BELEN,
WILLIAM A. BRENKE,
Committee on Physical Development.

By COUNCILMAN WORTHINGTON—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

## REPORTS OF CITY OFFICERS AND BOARDS

March 17, 1981

President Belen and Members
of the Lansing City Council

Re: Claim of Mari M. Roberts in the amount of $59,23

Dear President Belen
and Councilmembers:

Claimant alleged that on February 16, 1981, at approximately 7:10 p.m., while traveling northbound on South Washington south of Miller Road, her vehicle struck a chuckhole which caused a tire on her vehicle to go flat. Claimant submitted a paid bill in the amount of $59,23 for costs to replace the tire and she seeks reimbursement of this amount.

Mr. Howard G. McCaffery of the Public Service Department of the City of Lansing informed this office that on February 16, 1981, his office recorded eighteen (18) complaints of chuckholes and none of the chuckholes complained of were on South Washington in the vicinity of Miller Road. His department received three calls reporting chuckholes on South Washington Avenue on February 17, 1981: two callers described chuckholes at I-96 and Edgewood, and the third described a chuckhole at 6405 South Washington. He concludes that his department had no prior knowledge of any chuckholes on South Washington just south of Miller Road.

MCLA 691.1402; MSA 3.996(102) provides in pertinent part:

"Each governmental agency having jurisdiction over any highway shall maintain the highway in reasonable repair so that it is reasonably safe and convenient for public travel. Any person sustaining bodily injury or damage to his property by reason of failure of any governmental agency to keep any highway under its jurisdiction in reasonable repair, and in condition reasonably safe and fit for travel, may recover the damage suffered by him from such governmental agency."

MCLA 691.1403; MSA 3.996(103) provides in part:

"No governmental agency is liable for injuries or damages caused by defective highways unless the governmental agency knew, or in the exercise of reasonable diligence should have known, of the existence of the defect and had a reasonable time to repair the defect before the injury took place."

Based on the foregoing statutory provisions and the facts presented by this claim, it is apparent that the City of Lansing had no notice of any defect existing at the above stated location prior to or on the date the alleged incident occurred. Therefore, it is the recommendation of this office that the claim be denied on the basis of governmental immunity.

Respectfully submitted,

STEPHEN R. SAWYER,
City Attorney.

By COUNCILMAN ADADO—

That we concur in the recommendation of the City Attorney and said claim be denied.

Carried.

March 12, 1981

President Belen and Members
Lansing City Council

Gentlemen:

Attached is an application for a parade permit from the Wolverine's Boys' State, scheduled for 8:00 a.m. on Wednesday, June 24, 1981, which has been approved by all necessary department heads.

Our personnel estimate this will cost the City a total of $395.22, which represents one sergeant, ten police officers and eleven vehicles for two hours.

This is being sent to you for final approval.

Respectfully yours,

RICHARD A. GLEASON,
Chief of Police.

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By COUNCILMAN BRENKE—

That we concur in the recommendation of the Chief of Police and said parade permit be approved.

Carried.

Letter from the Board of Water and Light in regard to submitting information on Legal Services and recommending the establishment of a full-time staff Attorney.

Referred to the Board of Water and Light Liaison Committee.

DATE: 3/17/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Director, Building Safety and Development. Re: Trash Removal Assessment.

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

By COUNCILMAN BRENKE—

That we concur in the recommendation of the Mayor and said assessment be placed on the July assessment roll.

Carried.

DATE: 3/18/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Director, Building Safety and Development. Re: Request for demoliiton approval.

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on General Services.

DATE: 3/4/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Appointment of Lansing's Community Liaison.

The attached is forwarded to advise you that I have designated Mrs. Lynnae Ruttledge, Executive Director of Center for Handicapper Affairs, as Lansing's community liaison for activities during the International Year of the Disabled Person.

GERALD W. GRAVES,
Mayor.

Received and placed on file.

DATE: 3/19/81

TO: City Concil President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Planning Director. Re: LS-3-81 — 6255 Somerset; LS-4-81 — 1410 Whyte Street.

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Physical Development.

DATE: 3/19/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Planning Director. Re: SUP-2-81 218 S. Butler Blvd.

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Physical Development.

DATE: 3/19/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Planning Director. Re: ACT-3-81 — Monticello Street Right-of-Way; ACT-17-80 — 3 parcels of land on Marywood Street and Washington Avenue; ACT-6-81 — Mosher Street.

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Physical Development.

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DATE: 3/19/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Operations Analyst. Re: Sale of Vacant Lot — (NDA No. 1) 1127 West Kalamazoo.

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Physical Development.

DATE: 3/19/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Planning Director. Re: Demolition — 1535 and 1558 N. High Street.

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on General Services.

DATE: 3/19/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Mayor's Economic Development Advisory Group. Re: Duncan Investment application for Commercial Facilities Exemption Certificate for facility at 530 S. Pine St.

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Economic Development.

DATE: 3/19/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Mayor's Economic Development Advisory Group. Re: EDC request for certification of project area, designation of project district area and determination of necessity of establishing project citizens district council for Speaker-Hines & Thomas project.

The attached correspondence is forwarded with my cocnurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Economic Development.

DATE: 3/19/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Mayor's Economic Development Advisory Group. Re: EDC request for certification of project area, designation of project district area, and determination of necessity of establishing project citizens district council Houtsma, Inc., project.

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Economic Development.

DATE: 3/19/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Planning Director. Re: Planning Board review of two Lansing School District properties: Stephen A. Partington Center and Walter French Junior High School.

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Public Property and Safety.

## RESOLUTIONS

By HUMAN SERVICES COMMITTEE—

Resolved by the City Council of the City of Lansing:

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Whereas, the Riverfest '81 Committee has requested City co-sponsorship of the second annual Riverfest, to be held along the downtown riverfront during Labor Day weekend; and

Whereas, the Mayor has advised that the City Council should review the costs of co-sponsorship as compared to the participation in and enjoyment of the event by Lansing families; and

Whereas, Riverfest '80 was considered to be a success in terms of participation and enjoyment;

Now, Therefore, Be It Resolved, the Lansing City Council hereby approves City co-sponsorship of Riverfest '81 through the provision of in-kind services at the same level as was provided for Riverfest '80.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PUBLIC PROPERTIES AND SAFETY—

Resolved by the City Council of the City of Lansing:

Whereas, the Traffic Board has reviewed a citizen request for traffic control at the intersection of Gier Street and High Street, and recommended that a YIELD sign be installed at the northwest corner of the intersection;

Now, Therefore, Be It Resolved the Lansing City Council hereby adopts the Traffic Board recommendation and approves the installation of a YIELD sign at the northwest corner of the intersection of Gier Street and High Street, so that traffic from W. R. Grace Co. using High Street will yield to traffic on Gier and High.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PUBLIC PROPERTIES AND SAFETY—

Resolved by the City Council of the City of Lansing:

Whereas, the Traffic Board has reviewed a citizen request to remove a "No Turn on Red" restriction on southbound Capitol Avenue at Main Street, and recommended approval of the request;

Now, Therefore, Be It Resolved the Lansing City Council hereby approves the request to remove the "No Turn on Red" restriction on southbound Capitol Avenue at Main Street.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PUBLIC PROPERTIES AND SAFETY—

Resolved by the City Council of the City of Lansing:

Whereas, the Traffic Board has reviewed results of a trial installation of a stop sign on Monticello Drive at Coachlight Commons, and recommended that the sign be made permanent;

Now, Therefore, Be It Resolved the Lansing City Council hereby approves the permanent installation of the stop sign on Monticello Drive at Coachlight Commons.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PUBLIC PROPERTIES AND SAFETY—

Resolved by the City Council of the City of Lansing:

Whereas, the Traffic Board has reviewed parking regulations on the west side of S. Capitol Avenue in the 300 block, and recommended change to reduce confusion for drivers;

Now, Therefore, Be It Resolved the Lansing City Council hereby approves the following parking regulations as recommended by the Traffic Board:

1. "No Parking at Any Time Except Sundays and Holidays" on the west side of Capitol Avenue from Washtenaw Street to a point 165 feet south of Washtenaw Street (this includes a bus stop 91 feet south of Washtenaw Street).

2. "No Stopping, Standing, Parking" on the west side of Capitol Avenue from 165 feet south of Washtenaw Street to a point 340 feet south of Washtenaw Street.

3. Removal of the "No Standing 4 - 6 PM" zone on the west side of Capitol Avenue from Washtenaw Street to Kalamazoo Street for a 90 day trial period.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PUBLIC PROPERTIES AND SAFETY—

Resolved by the City Council of the City of Lansing:

Whereas, the Traffic Board has reviewed a citizen complaint about trucks using Dwight Street between North Street and Turner Street, and recommended that trucks

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be allowed to turn left from North Street to Turner Street so that truck traffic will stay off the residential Dwight Street;

Now, Therefore, Be It Resolved the Lansing City Council hereby approves the Traffic Board's recommendation to change the "No Left Turn" prohibition for eastbound traffic on North Street at Turner Street to "No Left Turns Except Trucks."

Adopted by the following vote:

Unanimously.

By PHYSICAL DEVELOPMENT COMMITTEE—

Resolved by the City Council of the City of Lansing:

Act-42-80
Front of Ingham Medical Hospital

Whereas the property described as: Lot 220, Greencroft Subdivision, was deeded to the City of Lansing for use as park land; and

Whereas the parcel of land was never formally or informally dedicated for that use; and

Whereas it is unlikely that the property could ever be put to any worthwhile park use and would be a maintenance liability to the City, and has in fact been maintained over the past several years by Ingham Medical Hospital;

Now, Therefore, Be It Resolved that the parcel be sold to Ingham Medical Hospital for one dollar ($1.00) subject to reservation of easement rights for the Board of Water and Light, Public Service Department and Consumers Power Company.

By COUNCILMAN BLAIR—

That Council President Belen be allowed to abstain from voting.

Carried.

Adopted by the following vote:

Unanimously.

By PHYSICAL DEVELOPMENT COMMITTEE—

Resolved by the City Council of the City of Lansing:

Whereas, the Lansing City Council has established a policy regarding the disposition of vacant lots in Neighborhood Development Areas; and

Whereas, Section 8-403.4 of the City Charter of the City of Lansing requires that City Council approve proposed sales of real estate,

Now, Therefore, Be It Resolved by the Lansing City Council that the following proposed sales be and are hereby approved:

To Jose G. and Mamie L. Perez, husband and wife, the property legally described as Lot 88, Assessor's Plat No. 9, City of Lansing, Ingham County, Michigan. (NDA No. 1, 1119 W. Kalamazoo, No. 3301-17-451-411-9)

and

To Julio M. Duarte, Sr., a widower, the property legally described as the north 12.5 feet of the south 55 feet of the north ½, Lot 1; the north 6.5 feet of the south 132 feet of East ½, Lot 2, Block 5, Handy Home Addition, City of Lansing, Ingham County, Michigan. (NDA No. 3 Expansion Area, part of 1211 Ballard Street, No. 3301-10-156-251-1).

and

To Melton and Eula M. Towns, husband and wife, the property legally described as the South 14.5 feet of the North 27 feet of the South 55 feet of the North ½, Lot 1, the North 6.5 feet of the South 125.5 feet of East ½, Lot 2, Block 5, Handy Home Addition, City of Lansing, Ingham County, Michigan. (NDA No. 3 Expansion, part of 1211 Ballard Street, No. 3301-10-156-241-1).

Adopted by the following vote:

Unanimously.

By COUNCILMAN ADADO—

That resolution No. 5 in regard to establishing of a Principal Accountant be referred back to the Committee on Ways and Means for further corrections.

Carried.

By COMMITTEE OF THE WHOLE—

RESOLUTION AUTHORIZING EXECUTION OF PRELIMINARY LOAN CONTRACT AND GENERAL DEPOSITARY AGREEMENT AND ISSUANCE OF PRELIMINARY NOTES

Whereas, the Lansing City Council, acting by and through the Lansing Housing Commission (herein called the "Local Authority") proposes (1) to enter into a contract (herein called the "Preliminary Loan Contract") with the United States of America (herein called the "Government"); (2) to enter into an agreement (herein called

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the "General Depositary Agreement" ) with _____ which is a member of the Federal Deposit Insurance Corporation and is herein called the "Bank"); and (3) to authorize the issuance of its notes as evidence of advances to be made by the Government to the Local Authority pursuant to the Preliminary Loan Contract.

BE IT RESOLVED BY THE LOCAL AUTHORITY AS FOLLOWS:

**Section 1.**

The Prelimnary Loan Contract in substantially the form of contract hereto attached and marked "Exhibit A" is hereby approved and accepted both as to form and substance and the President or Vice-President of the _____ Housing Commission is hereby authorized and directed to execute said Contract in quadruplicate on behalf of the Local Authority, and the _____ is hereby authorized and directed to impress and attest the official seal of the Local Authority on each such counterpart and to forward said executed counterparts, or any of them, to the Government together with such other documents evidencing the approval and authorizing the execution thereof as may be required by the Government.

**Section 2.**

The General Depository Agreement in substantially the form of agreement hereto attached and marked "Exhibit B" is hereby approved and accepted both as to form and substance and the President or Vice-President of the _____ Housing Commission is hereby authorized and directed to execute said Agreement in quintuplicate on behalf of the Local Authority, and the _____ is hereby authorized and directed to impress and attest the official seal of the Local Authority to each such counterpart, and to forward three executed counterparts thereof to the Government, together with such other documents evidencing the approval and authorizing the execution thereof as may be required by the Government.

**Section 3.**

The President or Vice-President or the Director of the _____ Housing Commission is hereby authorized to file with the Government from time to time as monies are required, requisitions together with the necessary supporting documents requesting advances to be made on account of the loan provided in the Preliminary Loan Contract, and the proper officers of the Local Authority shall prepare, execute, and deliver to the Govenrment Preliminary Notes hereinafter authorized and shall accept payment therefor from the Government in cash and/or exchange for other notes of the Local Authority, and such persons are authorized to do and perform all other things and acts required to be done or performed in order to obtain such advances. Cash proceeds from the sale of all Preliminary Notes shall be deposited and disbursed only in accordance with the provisions of the Preliminary Loan Contract.

**Section 4.**

(A) In order to evidence advances made by the Government pursuant to Preliminary Loan Contract and to refund, renew, extend, or substitute for any Preliminary Notes by this Resolution authorized to be issued for any Preliminary Notes by any other resolution authorized to be issued which are outstanding, or on deposit for delivery pending payment therefore, as of the date this Resolution becomes effective), or for any Temporary Notes issued by the Local Authority, there are hereby authorized to be issued, from time to time, Preliminary Notes of the Local Authority in an aggregate principal amount outstanding at any one time (whether authorized by this Resolution or any other resolution authorizing the issuance of Preliminary Notes) equal to the aggregate Estimated Cost of Preliminary Surveys and Planning specified in said Preliminary Loan Contract.

(B) Each Preliminary Note shall bear interest, and shall be payable, in form and manner as prescribed by the Preliminary Loan Contract and this Resolution; shall be signed in the name of hte Local Authority by the _____ ; and shall have the official seal of the Local Authority impressed thereon attested by the _____; and shall otherwise be in substantially the form of not hereto attached and marked "Exhibit C."

(C) Any notes issued pursuant to the provisions of this Resolution are a special obligation of the Local Authority and shall constitute an exclusive first lien and charge upon all of the revenues, receipts, or assets of the Housing Commission or the Local Authority now or hereafter derived from, or held or acquired in connection with, the low-rent housing projects developed pursuant to the aforesaid Government Program Reservation.

(D) As additional security for the equal and ratable payment of the principal of and interest on all Preliminary Notes issued pursuant to this Resolution the Local Authority, to the fullest extent permitted by the laws of the State, hereby pledges, mortgages, conveys, and grants, unto the government all the real and tangible personal property wheresoever situated which it has acquired or may hereafter acquire in connection with or relating to the low-rent housing undertaken pursuant to the Preliminary Loan Contract. If the preceding sentence shall be adjudged by a court of competent jurisdiction to be invalid or ineffective it is the intention of the Local Authority to be fully obligated under the other provisions of this Resolution and that such judgment shall not impair or invalidate the obligation of the Local Authority to pay the principal of and interest on each Note from other funds of the Local Authority as herein provided.

**Section 5.**

Whenever the following terms, or any of them, are used in this Resolution, the same,

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unless the context shall indicate another or different meaning or intent, shall be construed, and are intended to have meanings as follows:

(1) The term "Resolution" shall mean this Resolution.

(2) All other terms used in this Resoultion and which are defined in the Preliminary Loan Contract shall have the respective meanings ascribed thereto in the Preliminary Loan Contract.

**Section 6.**

All resolution or parts of resolutions heretofore adopted by the Local Authority which authorize the issuance and/or delivery of Preliminary Notes (sometimes called "Preliminary Loan Notes") pursuant to the Preliminary Loan Contract are hereby repealed: Provided, however, that such repeal shall in no way affect the validity of Preliminary Notes or Preliminary Loan Notes issued pursuant to said resolutions which are outstanding or on deposit for delivery pending payment therefor on the date this Resolution becomes effective.

**Section 7.**

This Resolution shall take effect immediately.

By COUNCILMAN BLAIR—

That the resolution be amended as follows:

That Section I be amended by changing the period (.) at the end of the paragraph and replacing it with a comma (,) and adding the following wording:

"provided, however, that the Preliminary Loan Contract shall provide and require that the proceeds of said loan may be used only for preliminary surveys and planning for the purpose of developing "scattered site housing" which shall be limited to duplex and single family dwellings, or substandard rehabilitation to existing single family or duplex housing"

Adopted by the following vote:

Yeas: Councilmen Adado, Belen, Blair, Lindemann, McKane, Worthington—6.

Nay: Councilman Brenke—1.

The resolution as amended was adopted by the following vote:

Yeas: Councilmen Adado, Belen, Blair, McKane, Worthington—5.

Nays: Councilmen Brenke, Lindemann—2.

By COMMITTEE OF THE WHOLE—

RESOLUTION AUTHORIZING EXECUTION OF AMENDMENTS TO ANNUAL CONTRIBUTIONS CONTRACT

Whereas, the City of Lansing, acting through the Housing Commission, (herein called the "Local Authority"), and the United States of America, (herein called the "Government"), entered into an Annual Contributions Contract to assist in the development and operation of certain low-rent housing; and

Whereas, the Local Authority and the Government desire to modify the terms of said Annual Contributions Contract;

Be It Resolved By The City of Lansing:

Setcion 1. The Local Authority shall enter into an amendatory agreement with the Government, modifying the terms of the Annual Contributions Contract, and the President or Vice President of the Housing Commission is hereby authorized and directed to execute such amendment in quadruplicate and the Clerk is authorized and directed to impress and attest the official seal of the Local Authority on each such counterpart.

Adopted by hte following vote:

Unanimously.

By COUNCILMAN WORTHINGTON—

Whereas, it is deemed desirable to amend the Classification provided for in the Zoning Code of the City of Lansing, passed on the 13th day of November, 1958, in the following particulars, viz:

That property described as:

SUP-2-81 — 218 S. Butler St.

To be used as an overnight shelter for people who are temporarily homeless and need of a place to sleep overnight.

Therefore, be it resolved, that the City Clerk shall give at least fifteen days notice of a Public Hearing when all persons interested may attend and make any objections they may have to such proposed changes in said Zoning Code.

Resolved further, that such hearing shall be held at the Council Chamber in the City Hall on the 13th day of April, 1981, at 7:00 o'clock p.m., and that notice of such hearing be published in the official publication of said city, as required by law.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON WAYS AND MEANS—

Resolved by the City Council of the City of Lansing:

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That the following transfers be approved:

$50,000.00 from General Fund—Fund Balance
A/C 101-000-000-390

$50,000.00 to Reserve for Contingency
A/C 101-941-000-963

50,000.00 from Reserve for Contingency
A/C 101-941-000-963

$50,000.00 to General Adm. Fringe Benefits
A/C 101-930-000-715

$ 4,298.37 from General Fund—Fund Balance
A/C 101-000-000-930

$ 4,298.37 to Reserve for Contingency
A/C 101-941-000-963

4,298.37 from Reserve for Contingency
A/C 101-941-000-963

$ 4,298.37 to Unprogrammed Match—Human Resources
A/C 101-934-095-969

$50,000.00 from Workers' Comp. Fund—Estimated Rev.
A/C 765-000-000-160

$50,000.00 to Workers' Comp. Claims
A/C 765-958-000-963

I hereby certify that this is a properly drawn and eligible transfer.

JAMES W. DOWSETT,
Finance Director.

Approved:

TERRY J. McKANE,
WILLIAM A. BRENKE,
Ways and Means Committee.

Adopted by the following vote:

Unanimously.

## ORDINANCES

By COUNCILMAN WORTHINGTON—

The Committee reported that it had considered an ordinance providing, that the Code of Ordinances, City of Lansing, Michigan, be amended by adding a new section to be numbered Section 36-116.7 to provide for an amendment to the amended Physical Development Plan for NDA No. 3 within the City of Lansing for the acquisiiton of property at 1539 N. High St. and recommended that the ordinance be passed.

Carried.

## ORDINANCE NO. 589

By COUNCILMAN WORTHINGTON—

Resolved by the City Council of the City of Lansing, that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by adding a new section to be numbered Section 36-116.7 to provide for an amendment to the amended Physical Development Plan for NDA No. 3 within the City of Lansing for the acquisiiton of property at 1539 N. High Street be placed on order of immediate passage.

By COUNCILMAN WORTHINGTON—

Resolved by the City Council of the City of Lansing, that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan be amended by adding a new Section to be numbered Section 36-116.7 to provide for an amendment to the amended Physical Development Plan for NDA No. 3 within the City of Lansing for the acquisition of property at 1539 N. High Street be now passed.

Adopted by the following vote:

Unanimously.

## ORDINANCE NO. 589

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, PROVIDING THAT CHAPTER 36, ARTICLE XIV OF THE CODE OF ORDINANCES, CITY OF LANSING, MICHIGAN, BE AMENDED BY ADDING A NEW SECTION TO BE NUMBERED 36-116.7 TO PROVIDE FOR AN AMENDMENT TO THE AMENDED PHYSICAL DEVELOPMENT PLAN FOR NEIGHBORHOOD DEVELOPMENT AREA NO. 3 WITHIN THE CITY OF LANSING.

The City of Lansing Ordains:

Section 1. That Chapter 36, Article XIV, of the Code of the City of Lansing, Michigan, be amended by adding a new section to be numbered 36-116.7 to read as follows:

Section 36-116.7. **Amendment to the plan established.**

The Physical Development Plan, as amended, for Neighborhood Development Area No. 3, referred to in Sections 36-121 and 36-129, is modified by modifying the plan as follows:

The **inclusion** of one structure located at 1539 North High Street, in the acquisition program under the section "Physical Condition," and the **deletion** of that structure from the Housing Rehabilitation list, and the modification of maps to reflect the changes detailed above.

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance shall take effect thirty (30) days from its passage unless given immediate effect by the City Council.

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By COUNCILMAN McKANE—

Resolved by the City Council of the City of Lansing:

That Councilman Gunther be excused from the session.

Carried.

By COUNCILMEN LINDEMANN and McKANE—

Resolved by the City Council of the City of Lansing:

That the rules of the Council be waived for the purpose of presenting items that are not listed on the agenda.

Carried.

Letter from Lansing Community College relative requesting renewal of lease for parking on the dirt lot at the N.W. section of the River Front Park.

Referred to Committee on Public Property and Safety.

By BOARD OF WATER AND LIGHT LIAISON COMMITTEE—

Resolved by the City Council of the City of Lansing:

Whereas, the Board of Water and Light through its general manager and board members has expressed, and extensively documented, the need for a full-time in-house attorney, and

Whereas, the practice of retaining a part-time special legal counsel to handle the Board's legal matters is no longer sufficient as the number and complexity of legal demands have increased markedly since 1967, and

Whereas, the Board of Water and Light Liaison Committee has considered this request,

Now, Therefore Be It Resolved, the City Council of the City of Lansing hereby authorizes and directs the City Attorney to research and provide a written opinion to this council exploring all aspects of the Board of Water and Light's request for full-time in-house legal counsel.

Adopted by the following vote:

Unanimously.

## REMARKS BY THE MAYOR'S EXECUTIVE ASSISTANT

No remarks.

## REMARKS BY THE CITY COUNCIL

Council President Belen announced that there would be a Public Auction of certain items to be held on April 4, 1981, at the Central Garage, 311 N. Larch St. at 10:00 a.m. Inspection of items will be on April 2, 3, 1981.

By COUNCILMAN ADADO—

That this meeting stand adjourned.

Carried.

Council adjourned at 10:03 P.M.

THEO FULTON,
City Clerk.

Lansing, Michigan

March 23, 1981

F/B

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Room 921, City Hall
Lansing, Michigan 48933

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# OFFICIAL PROCEEDINGS OF
# THE CITY COUNCIL
## OF THE CITY OF LANSING

## Proceedings, March 30, 1981

CITY COUNCIL ROOMS

Lansing, Michigan

March 30, 1981

The City Council of the City of Lansing, Michigan, met in regular session and was called to order by President Belen.

Present: Councilmen Adado, Belen, Blair, Gunther, Lindemann, McKane, Worthington—7.

Absent: Councilman Brenke—1.

The Clerk announced that a quorum of the Council was present.

Invocation was given by Councilman McKane.

Pledge of Allegiance was led by Councilman McKane.

By COUNCILMAN GUNTHER—

That the Council Proceedings of March 2 and 9 and 16, 1981, be approved.

Carried.

By COUNCILMAN ADADO—

That the rules be suspended so that the Everett Chorale can present a short program with the singing of three songs and that the following resolution may be presented to them.

Carried.

By COMMITTEE OF THE WHOLE—

Resolved by the City Council of the City of Lansing:

Whereas, the Everett Chorale is comprised of approximately 30 young men and women who have delighted audiences with a full spectrum of entertainment including singing, dancing, comedy and a wide variety of instrumental music since 1973; and

Whereas, the Everett Chorale will be travelling to Stockholm, Sweden, on April 20th to perform for Swedish audiences as well as participate in some real cultural exchange by living with Swedish families,

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going to school and general spreading "Yankee cheer" and good will; and

Whereas, under the able direction of Mr. Kit Carter, the group will be holding an Everett Chorale Extravaganza at Everett High School on April 10th, 11 and 12th to aise funds for the trip and provide the citizens of Lansing an opportunity to preview the show as it will be performed in Stockholm; and

Whereas, the members of the Everett Chorale have been our ambassadors of good will in Sweden on two previous occasions; and

Whereas, they will be the guests of the Stockholm School Board for the trip;

Now, Therefore, Be It Resolved, the City Council of the City of Lansing hereby expresses its continuing support, appreciation and encouragement to the members of the Everett Chorale who represent us so well in their travels, via the universal language of the arts; and

Be It Further Resolved, the citizens of Lansing are urged to attend the Extravaganza and enjoy the first rate entertainment and at the same time demonstrate our support of the Everett Chorale.

Adopted by the following vote:

Unanimously.

## PUBLIC HEARING

March 30, 1981, at 7:00 o'clock being the time set as the time for holding a public hearing on the proposed amendment to revise Sections 27-35 and 27-58 to increase monthly sewage and inspection rates in order to offset a portion of the increased maintenance and operation costs and further to eliminate the charges assessed pursuant to the Metropolitan Landell Sewer District so that sewer rates are consistent through the City of Lansing.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed ordinance they had the privilege of speaking at this time.

Gerald Beckwith, 428 S. Jenison Ave., attorney representing Walter Jones, 204 Rumsey, spoke in opposition.

Referred to Committee on Physical Development and Committee on Ways and Means.

**THE PUBLIC MAY NOW ADDRESS THE CITY COUNCIL ON ANY OF THE FOLLOWING ITEMS LISTED ON THE AGENDA: COMMUNICATIONS AND PETITIONS, COMMITTEE REPORTS, REPORTS OF CITY OFFICERS AND BOARDS AND RESOLUTIONS. YOU MAY SPEAK ONLY FOR 3 MINUTES ON ANY ONE ITEM.**

Joseph Kelly, representing K. of C. for Capitol Area Council for Retarded and their "Tootsie Roll Drive," spoke.

## COMMUNICATIONS AND PETITIONS

The following applications and bonds have been filed for licenses:

CARNIVAL LICENSE—
J & R Carnival Shows.

CHARITABLE SOLICITATION—
Boy Scouts of America—Troop No. 214.

MECHANICAL DEVICE—
Mac's Time Machine.

PUBLIC DRIVERS—
Delbert Leroy Price.

Referred to Committee on General Services.

The following claims have been filed:

Fred Sandberg for damage to a tire on his automobile due to hitting a pot hole.

Gerald H. Hetchler for damage to automobile due to hitting a chuck hole.

Referred to Mayor, City Attorney.

Petition filed for rezoning:

Z-14-81—

The Southeast ¼ of the Northeast ¼ Northeasterly of a line commencing on the

East line of Section 7, North 0° 31′ 44″ West 838.13 feet from the East ¼ post, thence North 75° 23′ 52″ West 162.25 feet, North 67° 57′ 58″ West 277.03 feet, North 53° 06′ 11″ West 277.03 feet, North 45° 40′ 17″ West 300 feet to point of ending, except commencing 838.13 feet North 0° 31′ 44″ West of East ¼ post, thence North 0° 31′ 44″ West 150 feet South 89° 28′ 16″ West 100 feet, South 0° 31′ 44″ East to Northerly right-of-way line I-96 Southeasterly to beginning, Section 7, T3N, R2W, City of Lansing, Ingham County, Michigan from "A" One Family Residence District to "E" Apartment-Shop District—(6300 block of Grovenberg Rd. west side).

Referred to Mayor, Planning Board.

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Letter from The Warren Holmes-Kenneth Black Company in regard to special use permit SUP-7-80—200 Mill St.—Impression 5 Museum.

Referred to Mayor, Planning Board.

Michigan Liquor Control Commission submits request from George W. Abraham II for a new 12-month resort Class "C" license with dance-entertainment permit at 5015 S. Cedar St.

Referred to Mayor, Committee on General Services.

Letter from Kelly Buick, Inc., in regard to notice that an identification sign at his place of business at 5530 S. Pennsylvania Avenue is in violation of City code pertaining to "J" Parking and request approval of the Council to allow the sign to remain as is.

Referred to Mayor, Planning Board.

Letter from the CARE organization in regard to requesting that a special day be set aside in May or June for the observance of the CARE program.

Referred to Mayor, Committee of the Whole.

Letter from Claude Fanning in regard to sewer rates.

Referred ot Mayor.

Michigan Department of Natural Resources, Environmental Protection Bureau, Point Source Studies Section submits a report of a Municipal Wastewater Survey conducted at Lansing Wastewater Treatment Plant.

Referred to Mayor.

Department of Natural Resources submits a notice of application for a Flood Plain Permit for Wayne Magee.

Received and placed on file.

## MAYOR COMMENTS ON ANY ITEM ON THE AGENDA

No comment.

## REPORTS OF COMMITTEES

The COMMITTEE ON GENERAL SERVICES approves the following applications and bonds for licenses:

CARNIVAL LICENSE—
J & R Carnival Shows.

MECHANICAL DEVICE—
Mac's Time Machine.

PUBLIC DRIVER—
Delbert Leroy Price.

CHARITABLE SOLICITATION—
Boy Scouts of America—Troop No. 214.

Signed:

TERRY J. McKANE,
PAT LINDEMANN,
Committee on General Services.

By COUCILMAN LINDEMANN—

That the report of the Committee be adopted.

Aodpted by the following vote:

Unanimously.

The COMMITTEE ON PUBLIC PROPERTIES AND SAFETY, to whom was referred the petition from residents near Resurrection School for a crossing guard at the intersection of East Michigan Avenue and Lathrop Street, reports as follows:

This matter is referred to the Mayor for an analysis of need and recommendation back to the Council. In light of the Mayor's comments about crossing guards in the FY-81-82 budget recommendation, the Administration should comment of this latest request.

Signed:

PAT LINDEMANN,
SIDNEY J. WORTHINGTON,
JAMES D. BLAIR,
Committee on Public Properties and Safety.

By COUNCILMAN LIDEMANN—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

## REPORTS OF CITY OFFICERS AND BOARDS

March 23, 1981

President Belen and Members
of the Lansing City Council

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

Re: Claim submitted by Builders' Redi-Mix, Inc., for $409.10

Dear President Belen and Councilmembers:

Thomas Willson, Manager of Builders' Redi-Mix, Inc., has submitted a claim in the amount of $409.10 for damages incurred as a result of a pumping station malfunction on January 5, 1981, which resulted in sewage in the basement of Builders' Redi-Mix, Inc., located at 1384 Lake Lansing Road.

Information supplied by Public Service and investigation by this office reveals that a blockage in the air system that controls the pumps and operates the high level alarms resulted in an artificial low level being indicated when in fact a high level existed. As a result, none of the pumps began operating and a sewer back-up occurred. At 3:35 p.m. the Public Service Department was notified of the problem and it was corrected by 4:10 p.m. The air system had been last inspected on December 27, 1980, and was found to be operating properly.

MCLA 691.1407; MSA 3.996 (107) immunizes a municipality from tort liability where the municipality is engaged in the exercise and discharge of a governmental function. The term "governmental function" has been limited in scope by court decisions to include those activities which can be effectively accomplished only by government. See **Parker** v **Highland Park,** 414 Mich 183; 273 NW2d 403 (1978). In **Davis** v **City of Detroit,** 98 Mich App 705; ____ NW2d ____ (1980), the Michigan Court of Appeals ruled that construction and operation of a municipal sewer system is a governmental function. In **Northrup** v **City of Jackson,** 273 Mich 20; 262 NW 641 (1935), the Michigan Supreme Court determined that the operation of a sewer system was a governmental function. Thus it is clear that the City of Lansing is immune from tortious liability concerning the operation and maintenance of its sewage system. Although there exists an intentional nuisance exception to the governmental immunity doctrine, the facts presented in this situation do not reveal the creation of an intentional nuisance on the part of the City of Lansing.

Based upon the application of the law to the above stated facts, it is the recommendation of this office that the claim of Builders' Redi-Mix, Inc., be denied.

Respectfully submitted,

STEPHEN R. SAWYER,
City Attorney.

By COUNCILMAN BLAIR—

That we concur in the recommendation of the City Attorney and said claim be denied.

Carried,

March 24, 1981

President Belen and Members
of the Lansing City Council

Re: Claim of David A. Roberts in the amount of $65.62

Dear President Belen and Councilmembers:

The above referenced claim has been submitted to this office for review, investigation and recommendation. The claimant alleges that on January 14, 1981, his vehicle was damaged when it struck a series of chuckholes while traveling south on US-27. He submitted receipts totaling $65.62 for the purchase of a tire and realignment of the front end.

MCLA 691.1403; MSA 3.996 (103) states:

"No governmental agency is liable for the injury or damages caused by defective highways unless the governmental agency knew, or in the exercise of reasonable diligence should have known, of the existence of the defect and had a reasonable time to repair the defect."

The Public Service Department informs this office that the first notification they received of the alleged chuckholes was when the claimant reported them. While Lansing is being plagued with multitudinous potholes in its streets each year, there appears to be no basis on which to find the City had knowledge of these particular potholes and sufficient time to repair them.

Based upon the aforementioned statute, this office concludes that the City had no notice of the chuckholes at this location prior to January 14, 1981. Consequently, no liability was incurred due to governmental immunity. Therefore, it is the recommendation of this office that the claim be denied.

Respectfully submitted,

STEPHEN R. SAWYER,
City Attorney.

By COUNCILMAN BLAIR—

That we concur in the recommendation of the City Attorney and said claim be denied.

Carried.

March 23, 1981

President Belen and Members
of the Lansing City Council

Re: Claim of Thomas McNamara in the amount of $299.72

Dear President Belen and Councilmembers:

The claimant, Mr. McNamara, alleges that a special assessment charge of $299.72

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was unfairly placed upon his 1979 tax statement as a result of the clean-up of debris located on the claimant's property which is located at 216 West Barnes St.

Investigation by this office reveals that on June 10, 1979, a garage located at 216 West Barnes St. burned down. Claimant states that a member of the City Building Department contacted him in regards to removing the burned remains of the garage. Claimant states that when he told the Building Department employee he had retained a person to remove it, the Building Department appeared satisfied.

However, on November 21, 1979, a violation notice was sent to Mr. McNamara, owner of the property located at 216 West Barnes St. notifying Mr. McNamara that he had ten days to clean up the "large pile of dead branches, some cardboard and paper in the yard rear of house near the alley." Mr. McNamara states that "thinking it (violation notice) was a routine follow-up letter, I ignored it since removal was still in progress and nearly completed." Inspection took place on December 5, 1979, and revealed that the debris as described in the violation still existed on the property. A clean-up order was issued on December 20, 1979, and on December 21, 1979, the "large pile of branches, paper and debris fro mthe rear house near the alley" was removed.

Although Mr. McNamara states that the City Building employees appeared satisfied in regards to the removal of the burned remains of the garage, the violation notice states clearly that "dead branches, cardboard and paper" were the subjects of the violtion notice. In addition, the violation notice states that failure to remove the objects within ten days would require the City of Lansing to act and all costs "shall be placed on the tax rolls assessed against the sale property on which hazard or nuisance is located." Mr. McNamara acknowledges that he received the violation notice for "brush and debris" at the end of November, 1979, yet the violations as described in the violation notice continued to exist on December 21, 1979 along with the burned-out debris from the garage. Examination reveals that all notices which were sent and received by Mr. McNamara were in conformity with Chapter 9A, § 911 of the Lansing Code of Ordinances.

Therefore, based upon the foregoing facts, it is the recommendation of this office that this claim be denied.

Respectfully submitted,

STEPHEN R. SAWYER,
City Attorney.

By COUNCILMAN BLAIR—

That we concur in the recommendation of the City Attorney and said claim be denied.

Carried.

March 23, 1981

President Belen and Members
of the Lansing City Council

Re: Claim of Josh Beasley in
the amount of $126.48

Dear President Belen and Councilmembers:

The above referred claim has been submitted to this office for review, investigation and recommendation. The claimant alleges that on September 11, 1980, his vehicle was damaged when it struck a piece of stone while traveling east on Main Street. He submits an estimate of $120.48 for repair to his vehicle's fender and door, and realignment of the front end.

Investigation reveals that claimant reported his accident to the Lansing Police Department approximately twenty-five hours following the actual incident. The Public Service Department reports that they had no knowledge of debris in the roadway at that location prior to the incident alleged in the present claim and could locate no debris upon investigating the site. The Public Service Department also indicates that on the date of the incident in question there was no work being performed at that location, however, concrete debris was temporarily piled along Main Street between the curb and sidewalk on the public right-of-way resulting from sidewalk removal along the 1400 Block of Main Street on September 8, 1980. The debris was to be collected along with all other debris resulting from construction work in that area.

The Public Service Department reports that they experienced a significant amount of malicious destruction while working in that area, and requested Lansing Police Department's assistance and surveillance as a result. They suspect that neighborhood children may have been responsible for any debris on the street and offer this possibility as their only possible explanation for the problem. MCLA 691.1403; MSA 3.996 (103) states:

> "No governmental agency is liable for injuries or damages caused by defective highways unless the governmental agency knew, or in the exercise of reasonable diligence should have know, of the existence of the defect and had a reasonable time to repair the defect."

Here, the Public Service Department appears to have exercised reasonable diligence in the matter by notifying the Lansing Police Department of the damage and destruction they were encountering; their method of piling debris and collecting it appears to be prudent and reasonable under the circumstances. Due to the extreme weight of concrete, it would be highly unlikely that any weather condition could be expected to move large chunks of debris into the roadway.

Therefore, based upon the aforementioned statute, this office concludes the City neither

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had actual notice of the debris in the roadway at this location prior to September 11, 1980, nor was the City lax in exercising reasonable diligence, and therefore, due to governmental immunity, no liability was incurred. Consequently, it is the recommendation of this office that the claim be denied.

Respectfully submitted,

STEPHEN R. SAWYER,
City Attorney.

By COUNCILMAN BLAIR—

That we concur in the recommendation of the City Attorney and said claim be denied.

Carried.

March 26, 1981

President Belen and Members
of the Lansing City Council

Re: Smith v Anthony King/City of Lansing; Claim in the amount of $331.95

Dear President Belen and Councilmembers:

The above case was filed against Lansing Police Officer Anthony King and the City of Lansing as a result of an automobile accident occurring on December 24, 1980. Mr. Smith filed suit seeking to recover repair costs of $449.41. Since filing suit, Mr. Smith has agreed that $331.95, representing the smallest repair estimate, would be a fair settlement figure.

A review of the traffic accident report indicates that Mr. Smith had turned off of West Holmes onto southbound Waverly. He had a green light and was more than halfway through the intersection when a patrol car driven by Anthony King, traveling northbound on Waverly, struck the rear of Mr. Smith's vehicle. The police vehicle was pursuing another vehicle which had run a red light at Sheffield and South Waverly Road. The police vehicle had its emergency lights on, but the siren had not been activated.

For the following reasons it is the recommendation of this office that the sum of $331.95 be paid to Mr. Smith on this claim:

1. The defense of governmental immunity is not applicable in this case. State statute provides that "government agencies shall be liable for bodily injury and property damage resulting from the negligent operation . . . of a motor vehicle . . ." (MCLA 691.1405).

2. The traffic accident report indicates that the officer entered an intersection against a red light and at a speed which was too fast for existing conditions. State statute allows emergency vehicles to proceed through red lights only after the vehicle slows down, and allows speeds in excess of the speed limit only when life and property are endangered. Both of these exceptions apply only when the vehicle has its emergency lights on and is sounding an audible alarm. The officer in this case had not activated the vehicle's siren and received a citation for basic speed violation.

Following a review of all available facts, it is the recommendation of this office that Mr. Smith's claim of $331.95 be granted.

Respectfully submitted,

STEPHEN R. SAWYER,
City Attorney.

By COUNCILMAN BLAIR—

That we concur in the recommendation of the City Attorney and the City Clerk be and she is hereby directed to draw a warrant in the amount of $331.95 payable to Mr. Smith.

Carried.

March 24, 1981

President Belen and Members

Lansing City Council

Gentlemen:

Attached is an application for a parade permit from Michigan Conference of SDA, scheduled for 2:00 p.m. on May 3, 1981. You will note, this application has been signed by all necessary department heads.

Our Traffic Bureau estimates this parade will cost the City of Lansing the total of $501.90, which represents one sergeant, thirteen officers and fourteen vehicles for a total of two hours.

This is being forwarded to you for final action.

Respectfully yours,

RICHARD A. GLEASON,
Chief of Police.

By COUNCILMAN ADADO—

That we concur in the recommendation of the Chief of Police and said parade permit be granted.

Carried.

March 24, 1981

President Belen and Members

Lansing City Council

Gentlemen:

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Attached is an application for a parade permit from Lansing Central YMCA, scheduled for 9:30 A.M. on Saturday, May 16, 1981. You will note, this application has been signed by all necessary department heads.

Our Traffic Bureau estimates this parade will cost the City of Lansing the total of $592.83, which represents one sergeant, ten officers and eleven vehicles for a total of three hours.

This is being forwarded to you for final action.

Respectfully yours,

RICHARD A. GLEASON,
Chief of Police.

By COUNCILMAN ADADO—

That we concur in the recommendation of the Chief of Police and said parade permit be granted.

Carried.

March 23, 1981

Miss Lucile Belen, President,
and City Council Members

Lansing City Hall

Lansing, Michigan 48933

Dear President Belen and City Council Members:

The Lansing Housing Commission, at the City Council Committee of the Whole meeting of March 19, 1981, presented to the Council an alternative of its original 91 Unit family housing development proposal. The Commission specifically proposed to develop four sites of 22 to 25 units per site as opposed to its original 45 units per site proposal as embodied in the Commission application to HUD. The Commission has adopted this alternative in response to expressions of Council Members in that there was a number of Council persons who felt that 45 units per site would represent excessive concentration of low-income families in various areas of the city. It is the Commission's position that this proposal would allow the Commissoin to efficiently manage the developments as proposed in clusters of 22 to 25 units per site over the period of the Annual Contributions Contract while at the same time decreasing the number of units per site in response to concerns expressed by Council.

The Commission stated that it would work in coordination with Planning and Human Relations Departments so as to ascertain that sites are selected within conformance with City Planning Department guidelines and objectives and Human Relations Department concerns for economic impact and neighborhood stability. Further, on behalf of the Commission, I specified that the Commission, to the greatest extent feasible, would occupy the newly developed housing units on the basis of attaining an economic mix of low-income persons in conformance with recently established HUD requirements for achieving a broad range of incomes of low-income families as represented in the Lansing community. The Commission's objective thus will be to initially occupy and maintain low-income families in these developments which represent a cross section of income ranges as specified so as to provide the economic as well as social diversification desirable in maintaining the Commission's goals of owning and operating safe, decent and sanitary housing in viable functioning developments which contribute in a positive manner to the City of Lansing and its overall objectives to contribute to the quality of life all its citizens. To reiterate, the established eligibility income limits for admission to Housing Commission developments are as follows:

| Number of Persons | Admission Income (After Deductions) |
|---|---|
| 1 | $11,070 |
| 2 | 12,690 |
| 3 | 14,265 |
| 4 | 15,840 |
| 5 | 16,830 |
| 6 | 17,820 |
| 7 | 18,000 |
| 8 plus | 19,800 |

The Commission views the proposed 91 unit family housing development as of assistance to the Commission and the city in meeting the housing needs of low-income persons in our community. On our waiting list are over 300 applicants for the 69, 2-bedroom and 22, 3-bedroom units to be built under Program Reservation No. MI-33-P058-015.

The Lansing Housing Commission wishes to bring to the attention of the Council that the 91 unit reservation in the amount of $6,435,821.00 represents a commitment to the return of the City of Lansing tax dollars from the Federal Government to our local community and would represent significant employment for the building trades during construction; ongoing business for local vendors and businesses with whom we do business; and three to four full-time jobs. Further, we note that securing such reservations in the future looks bleak in that according to the March 11, 1981, Wall Street Journal, the current administration is recommending a reduction in the 1981 projected subsidized housing units to be built from 260,000 as proposed by the Carter Administration to 175,000 units. That after 1982, the current administration is proposing to eliminate its tandem program of 7% mortgages to developers of low-

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income housing. These factors in addition to the current level of interest rates and the projected economic conditions specifically as they relate to the construction of multi-family housing units, would behoove City Council to think twice before the return to Washington of the $6,435,281.00.

The Commission appreciates the Council's placement on its agenda this resolution authorizing execution of preliminary loan contract and general depository agreement and issuance of preliminary notes. The City Council, by its adoption of this resolution, shall enable the Housing Commission to develop a development program as its required by HUD by May 15, 1981.

Sincerely,

LANSING HOUSING COMMISSION
Walter Norris, Jr.,
Executve Director.

Received and placed on file.

DATE: 3/25/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Submission of attached correspondence from the Public Service Director Re: Response to communication submitted by Gregory Byrd, dated March 4, 1981, regarding Hayford Street Pump Station

The attached correspondence is submitted for your information.

GERALD W. GRAVES,
Mayor.

Received and placed on file with copy to Councilman Lindemann.

March 23, 1981

Council President Lucile Belen and
Members of the Lansing City Council

10th Floor, City Hall

Lansing, Michigan 48933

Dear Council President and Members:

Please find attached a communication from Parks and Recreation Director Douglas Finley regarding the possibility of Lansing and surrounding jurisdictions hosting the 1982 State Softball Tournament.

City Council approval for co-sponsorship is requested for this tournament, which could attract approximately 220 softball teams for Labor Day weekend in 1982. The cost of co-sponsorship would be $1,400 in field usage fees, based on 1981 fee schedules. There would be no impact on the Fiscal Year 81-82 budget which has been submitted to you.

This request was reviewed by the Parks Board at its meeting of March 18, 1981, and was approved by a unanimous (5-0) vote. In my recent communication to you regarding Riverfect 1981, I advised City Council of the necessity to prioritize its requests for co-sponsorship. This communication does not change that position, but I do believe that the economic impact of this event would be substantial when compared to other events for which co-sponsorship has been granted in the past. For that reason, I believe your most careful consideration is warranted.

An early decision on this matter would enable sufficient planning time for this event, which will require substantial coordination among the hosting jurisdictions.

Sincerely,

GERALD W. GRAVES,
Mayor.

Referred to Committee on Human Services.

DATE: 3/26/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Mayor's Economic Development Advisory Group Re: EDC request for certification of project area, designation of project district area and determination of necessity of establishing project citizens district council for Logan Center project

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Economic Development.

DATE: 3/26/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Submission of attached correspondence from the Planning Department Re: Letter from Vern Fountain, Zoning Officer, in reply to Mr. Donald Frost of 4406 Ingham Street concerning complaints he expressed at Council Meeting of March 23, 1981

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The attached correspondence is submitted for your information.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Physical Development.

March 25, 1981

Honorable Mayor and Members
of the Lansing City Council

Tenth Floor—City Hall

Lansing, Michigan 48933

Dear Mayor Graves and Council Members:

At the City Council Meeting of March 23, 1981, a Mr. Donald Frost of 4406 Ingham Street, Lansing, Michigan, addressed the Council regarding the development of a single family home just south of his property at 4500 Ingham Street. His primary concern was the placement of that home on the lot in relationship to other front yard setbacks. Please be advised, that this matter has been reviewed extensively by our office and it has been found that the placement of this building meets the minimum requirements of the Zoning Code.

In conjunction with this matter, Mr. Frost also spoke to the issue of the proposed development of land just south of his property which includes a subdivision plat by Mr. Roy Markey. In Mr. Frost's course of discussion with you, he indicated that **I had lied to him** on different occasions when explaining the placement of the single family home that is being developed at 4500 Ingham Street, and the proposed development of Ingham Park Subdivision.

Be further advised, that **I have never lied** to Mr. Frost on any of these issues, nor have I had any reason to. I have attempted to present him with all of the facts as they have occurred. In fact, I have spent considerable time and much effort with Mr. Frost on several occasions, one of which involved him splitting off the westerly portion of his lot. Councilman McKane was involved in this matter. The end result of this was that everything was worked out satisfactorily and Mr. Frost was able to split his land that allowed for the development of a single family home. I only bring this to your attention to point out that we have assisted this man on different occasions and have tried to explain as clearly as possible the development that is proposed for this area.

I have not met alone with Mr. Frost. Mr. Salmons of this office was with me on the last occasion when the issue of the placement of the new single family home was discussed. At this time, both Mr. Salmons and myself tried, unsuccessfully, to explain the situation.

I would appreciate your reading this letter into the record so that my position is clear and that if at any time in the future, Mr. Frost desires additional information, either myself or my staff will be more than happy to provide same for him in the usual honest, clear and concise manner which we provide to all citizens who seek our assistance.

Sincerely,

VERNON C. FOUNTAIN,
Zoning Administrator.

DATE: 3/26/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Submission of attached correspondence from the Office of the Mayor Re: Special assessment—1010 McCullough Street

The attached correspondence is submitted for your information.

GERALD W. GRAVES,
Mayor.

Received and placed on file.

March 27, 1981

Council President Lucile Belen and
Members of the Lansing City Council

10th Floor, City Hall

Lansing, Michigan 48933

Dear Council President and Members:

Please find attached a letter from Mrs. Katherine Kochendorfer and Mrs. Betty A. Draker representing various residents on Donora Street opposed to the tot lot at the corner of Baker Street and Donora as proposed by the South Central Neighborhood Organization.

This letter is a follow-up to two petitions on this subject as well as comments from Mrs. Kochendorfer at the City Council meeting of March 23, 1981, which were referred to this office.

My recommendation to you on this matter was submitted on June 26, 1980. City Council chose to disregard that recommendation and on July 7, 1980, voted to accept this property, which was offered for donation by FMC Corporation. In keeping with City Council directive, the property was accepted from FMC during the last week of December 1980 by myself in the presence of Councilman Lindemann. Further, landscape staff from the Parks and Recreation Department were provided for technical assistance to SCNO.

My concerns were that 1) development of a park would remove the property from

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the tax rolls, 2) there is uncertainty as to whether any volunteer organization can raise funds and contributions in the magnitude necessary to develop this park and 3) that the City, at some point, would be forced to assume the ongoing maintenance of the park. The letter from Mrs. Kochendorfer reiterates some of those concerns, which City Council apparently determined last year were insufficient to otherwise deny the project.

Inasmuch as my recommendation was not accepted by the City Council last year, it is my judgment that the park development question is a policy matter of City Council. Therefore, City Council should either reaffirm its previous decision, or recommend that this project be abandoned. If City Council chooses to abandon the project, Council should further recommend an alternative use of this property. I await your decision.

Sincerely,

GERALD W. GRAVES,
Mayor.

Referred to Committee on Public Property and Safety and Committee on Human Services.

## RESOLUTIONS

By COUNCILMAN McKANE AND COUNCILMAN LIDEMANN—

Resolved by the City Council of the City of Lansing:

That the request from the International Brotherhood of Electrical Workers, Local Union 665 Sports Booster Club for a 24-hour liquor permit for the Fourth of April, 1981, at the National Guard Armory, 2500 South Washington Avenue, is hereby approved provided the special 24-hour liquor permit is obtained from the Liquor Control Commission.

Adopted by the following vote:

Unanimously.

By COUNCILMAN BRENKE, COUNCILMAN McKANE AND COUNCILMAN WORTHINGTON—

Resolved by the City Council of the City of Lansing:

That the request from Soul Incorporated for a 24-hour liquor permit for the 3rd of April, 1981 at the Washington Street Armory is hereby approved provided the special 24-hour liquor permit is obtained from the Liquor Control Commission.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PUBLIC PROPERTIES AND SAFETY—

Resolved by the City Council of the City of Lansing:

Whereas, the State of Michigan has proposed a revision of the City of Lansing's lease for continuing use of Groesbeck Golf Course; and

Whereas, the Administration has recommended Council authorization of a new lease agreement;

Now, Therefore Be It Resolved, the Lansing City Council hereby authorizes the preparation and execution of a new lease agreement between the State of Michigan and the City of Lansing for terms of City use of State-owned portions of Groesbeck Golf Course, provided the City Attorney reviews and approves the lease as to form.

Adopted by the following vote:

Unanimously.

By PHYSICAL DEVELOPMENT COMMITTEE—

Resolved by the City Council of the City of Lansing:

Whereas, the City of Lansing is rehailitating the Northside Neighborhood Development Area No. 3 in cooperation with the Federal government for financial assistance all pursuant to Act 344, Public Acts of 1945 as amended; and

Whereas, the City of Lansing has prepared and adopted in Ordinance No. 469 a Physical Development Plan and a plan for relocating families and individuals who are to be displaced by the rehabilitation of said area; and

Whereas, the City of Lansing, acting by and through its Planning and Redevelopment Department has consulted with Citizens' District Council No. 3 of Neighborhood Development Area No. 3; and

Whereas, the Rehabilitation Review Committee has recommended that the rehabilitation strategy adopted as part of the development plan be amended to acquire and demolish 1535 N. High Street and 1558 N. High Street; and

Whereas, the Planning Board has reviewed and approved the recommendation to acquire and demolish 1535 N. High Street and 1558 N. High Street; and

Whereas, this acquisition and demolition will assist the City and residents in renovating this deteriorated Residential Area and is in compliance with Act 344, Public Acts of 1945 as amended; and

Whereas, the Act requires the City to provide citizens an adequate opportunity to ask questions and express opinions and

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concerns about modifications to the Physical Development Plan; and

Now, Therefore, Be It Resolved, that the City Council of the City of Lansing in satisfying the requirements of Act 344, Public Acts of 1945 as amended, schedule a public hearing on May 4, 1981 to consider the acquisition of 1535 N. High Street and 1558 N. High Street.

Adopted by the following vote:

Unanimously.

By COUNCILMAN WORTHINGTON—

Resolved by the City Council of the City of Lansing:

Whereas, the City of Lansing is the record owner of a certain parcel of property located in Delta Township at the intersection of Waverly Road and Holmes Road described as:

S 50 feet of E 200 feet of SE ¼ Sec. 25, T4N, R3W, Delta Township;

and

Whereas, said property is contiguous to the City of Lansing; and

Whereas, the Planning Department has determined that it is in the best interest of the City to annex said property; and

Whereas, a copy of a petition for annexation of said property has been filed with the City Clerk; and

Whereas, the City Attorney has approved the petition as to form; now, therefore, be it

Resolved, that the Mayor and City Clerk be authorized and directed to sign said annexation petition and that said petition be filed with Delta Township for approval by the Township Board.

Adopted by the following vote:

Unanimously.

By ECONOMIC DEVELOPMENT COMMITTEE—

Resolved by the City Council of the City of Lansing:

Whereas, it is necessary to hold a public hearing prior to the Council approval of Commercial Redevelopment Exemption Certificate for the following petitioner,

Commercial Redevelopment District CRD-7-80

Petitioner: Duncan Investment Corporation

530 S. Pine Street

Therefore, Be It Resolved, that the City Clerk give at least 10 days notice of a public hearing when all persons interested may attend and make any objections they may have to the approval of the certificate, and

Further Resolved, that the City Clerk notify the legislative body of each taxing unit which levies ad valorem property taxes in the City, and

Further Resolved, that such hearing shall be held at the Council Chambers in the City Hall on April 20, 1981, at 7:00 p.m. and that notice of such hearing be published in a publication of general circulation of said City.

Adopted by the following vote:

Unanimously.

By ECONOMIC DEVELOPMENT COMMITTEE—

Resolved by the City Council of the City of Lansing:

Whereas, by action dated July 30, 1979, this Council did approve a Commercial Facilities Exemption Certificate, case number CRD-8-78, for a facility located at 327 South Washington Avenue; and

Whereas, the application for a Commercial Facilities Exemption Certificate filed for the facility at 327 South Washington Avenue by Mr. Iraj M. Eftekhari indicated that certain building improvements would be made; and

Whereas, this Council now finds that the holder of the exemption did not proceed in good faith with the restoration of the facilty at 32 South Washington Avenue;

Now, Therefore, Be It Resolved, that the Council of the City of Lansing does hereby revoke the Commercial Facilities Exemption Certificate that it granted July 30, 1979, for the facility at 327 South Washington Avenue.

Adopted by the following vote:

Unanimously.

By ECONOMIC DEVELOPMENT COMMITTEE—

City of Lansing
County of Ingham, Michigan

RESOLUTION CERTIFYING APPROVAL OF PROJECT AREA DESIGNATION, ESTABLISHING PROJECT DISTRICT AREA BOUNDARIES

(Speaker-Hines and Thomas Project)

Minutes of a Regular Meeting of the City Council of the City of Lansing, County of Ingham, Michigan (the "City Council"),

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

held on March 30, 1981, at 7:00 o'clock p.m., Eastern Standard Ttime.

Present: Councilmen Adado, Belen, Blair, Gunther, Lindemann, McKane, Worthington.

Absent: Councilman Brenke.

The following preamble and resolution were offered by Councilman Adado and supported by Councilman Blair:

Whereas there exists in the City of Lansing, County of Ingham, Michigan (the "City") the need for certain programs to alleviate and prevent conditions of unemployment, to assist and retain local industrial and commercial enterprises in order to strengthen and revitalize the City's economy and to encourage the location and expansion of industrial and commercial enterprises to provide needed services and facilities to the City and its residents; and

Whereas, a program to alleviate the aforesaid conditions and accomplish said purposes has been initiated by The Economic Development Corporation of the City of Lansing (the "Corporation"); and

Whereas, the Corporation in conformity with Act No. 338, Public Acts of Michigan, 1974, as amended ("Act No. 338"), has designated the hereinafter described project area for such a program to this City Council for its approval thereof; and

Whereas, it is also necessary for this City Council to establish project district area boundaries; and

Now, Therefore, Be It Resolved that:

1. This City Council does hereby certify its approval of the Corporation's designation of the project area described in Exhibit A hereto attached.

2. This Council does hereby establish as a project district area the property described in Exhibit B hereto attached.

3. This City Council does hereby certify its approval of the individuals listed on Exhibit C as additional Directors of the Corporation to serve in conformity with the provisions of Section 4 (2) of Act No. 338.

4. It is hereby determined that the requirements of Section 20 of Act No. 338 have been met and that the formation of a project citizens district council is not required.

5. The City Clerk be and is hereby directed to deliver a certified copy of this resolution to the Secretary of the Board of the Corporation.

6. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same hereby are rescinded.

Ayes: Councilmen Adado, Belen, Blair, Gunther, Lindemann, McKane, Worthington.

Nays: None.

Resolution declared adopted.

THEO FULTON,
City Clerk.

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City Council of the City of Lansing, County of Ingham, Michigan, at a Regular Meeting held on March 30, 1981, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meeting Act, being Act 267, Public Acts of Michigan, 1976, and that the minutes of said meeting were kept and will be or have been made available as required by said Act.

THOE FULTON,
City Clerk.

Adopted by the following vote:

Unanimously.

By ECONOMIC DEVELOPMENT COMMITTEE—

RESOLUTION APPROVING PROJECT AREA, ESTABLISHING PROJECT DISTRICT AREA AND CONFIRMING APPOINTMENT OF ADDITIONAL DIRECTORS TO THE BOARD OF DIRECTORS OF THE ISSUER

(Houtsma, Inc. Project)

Minutes of a Regular Meeting of the City Council of the City of Lansing, Michigan, held at 7:00 o'clock p.m., Michigan Time, on March 30, 1981 at which the following members were present: Councilmen Adado Belen, Blair, Gunther, Lindemann, McKane, Worthington;

and the following were absent: Councilman Brenke.

The following preamble and resolution were offered by Councilman Adado and supported by Councilman Blair:

Whereas, the Economic Development Corporations Act, Act No. 338 of the Michigan Public Acts of 1974, as amended (the "Act"), recognizes that there exists in the State of Michigan the need for programs to alleviate and prevent conditions of unemployment, to assist and retain local industries and commercial enterprises, to encourage and assist the location and expansion of such enterprises to provide needed services and facilities to the City of Lansing and its residents to promote the forestry and agricultural sectors of the State's economy, and to encourage the development of facilities designed to produce energy from renewable sources; and

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Whereas, the Act provides a means by which these needs may be addressed; and

Whereas, Houtsma, Inc., a Michigan corporation (the "Company") has proposed a project (the "Project") to The Economic Development Corporation of the City of Lansing (the "Issuer") which would assist in the alleviation of the aforementioned conditions; and

Whereas, the Issuer, in conformity with the Act, has designated a Project Area and Project District Area for its Project to this City Council for its approval thereof.

Now, Therefore, Be It Resolved by this City Council of the City of Lansing, as follows:

1. The following Project Area, as designated by the Issuer, is hereby certified as approved:

See Exhibit "A"

2. The territory surrounding said designated Project Area will not be significantly affected by the Project and, therefore, a Project District Area having the same description as the Project Area herein certified as approved is hereby established.

3. Pursuant to Section 20 (b) of the Act, a Project Citizens District Council is not required for the Project and therefore, such a Council shall not be formed.

4. This Council hereby advises and consents to the appointment by the chief executive officer of the City of Lansing of Michael Haley and Howard Spence as additional directors to the Board of Directors of the Issuer, pursuant to Section 4 (2) of the Act, said persons being representative of neighborhood residents and business interests likely to be affected by the Project.

5. The City Clerk is hereby directed to provide three (3) certified copies of this resolution to the Secretary of the Issuer.

Yeas: Councilmen Adado, Belen, Blair, Gunther, Lindemann McKane, Worthington.

Nays: None.

Abstentions: None.

Resolution declared adopted.

STATE OF MICHIGAN }
COUNTY OF INGHAM } ss.

I hereby certify that the foregoing is a true and complete copy of a resolution adopted at a regular meeting of the City Council of the City of Lansing, County of Ingham, Michigan, held on the 30th day of March, 1981, and that the said minutes are on file in the office of the City Clerk and are available to the public. Public notice of said meeting was given pursuant to and in compliance with Act No. 267, Public Acts of Michigan, 1976.

THEO FULTON,
City Clerk.

Adopted by the following vote:

Unanimously.

By COMMITTEE OF THE WHOLE—

Resolved by the City Council of the City of Lansing:

Whereas, a resignation created a vacancy on the Capital Region Airport Authority; and

Whereas, the Mayor has submitted the name of Peggy Bokovoy for consideration and confirmation to fill said vacancy; and

Whereas, the Council Committee of the Whole interviewed Ms. Bokovoy on March 26, 1981;

Now, Therefore Be It Resolved, the City Council of the City of Lansing hereby approves and confirms the appointment of Peggy Bokovoy to the Capital Region Airport Authority for the term which expires October 1st, 1981.

Adopted by the following vote:

Unanimously.

By COMMITTEE OF THE WHOLE—

Resolved by the City Council of the City of Lansing:

Whereas, the Downtown Development Authority was established in Lansing in January of 1976, and

Whereas, with the advent of several significant development projects scheduled in the downtown area the positive functioning of this board assumes critical importance, and

Whereas, the Mayor, in an attempt to bring this board back up to full strength, submitted an updated membership list, and

Whereas, Mr. Arthur S. Boettcher, the last new member to be confirmed, was interviewed by the Committee of the Whole on March 26th, 1981, now

Therefore, Be It Resolved, the City Council of the City of Lansing hereby approves and confirms the appointment of Mr. Arthur S. Boettcher to the Downtown Development Authority for a term to expire in February 1982, and

Be It Further Resolved, the members of the revitalized Downtown Development Au-

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thority (listed below) have the support of the Lansing City Council in their continuing efforts to make downtown Lansing the extra-special place it can, and will be.

**Downtown Development Authority Board of Directors**

| Name | Term Expires |
|---|---|
| Gerald W. Graves | February, 1984 |
| Arthur S. Boettcher | February, 1982 |
| Eugene Rykse | February, 1982 |
| Richard S. Kositchek | February, 1983 |
| Darrell Tennis | February, 1983 |
| George Nugent | February, 1984 |
| David B. Sharpe | February, 1984 |
| Ardis Denise | February, 1985 |
| Gordon D. Masters | February, 1985 |

Adopted by the following vote:

Unanimously.

By COMMITTEE OF THE WHOLE—

Resolved by the City Council of the City of Lansing:

Whereas, the Richard Council No. 788 of the Knights of Columbus will conduct its sixth annual fund raising drive on April 10th, 11th and 12th this year; and

Whereas, the proceeds from this year's "Tootsie Roll Drive" will benefit, as it did last year: the Capitol Area Council on Handicapped Scouting, Ingham County Development Center, Greater Lansing Association for Retarded Citizens and Beekman Center; and

Whereas, last year's Grand Knight, F. Joseph Kelly, Jr., reported a 290% increase over the 1979 drive, with a total of $11,967; and

Whereas, over 300 Knights and their families will be collecting downtown, in State Office Buildings Frandor, Sears, All Meijer's Stores all K-Mart Stores, Woolco's, Logan Center and Meridian Mall; and

Whereas, Grand Knight Douglas Ervin has announced a goal of $15,000 for this year's drive and Past Grand Knights Thomas E. Minich and Richard F. McCloy support this goal as co-chairmen of this 1981 effort;

Now, Therefore, Be It Resolved, the City Council of the City of Lansing hereby officially proclaims April 10th, 11th and 12th, 1981, as "K. of C. Help the Handicapped and Retarded Days" in Lansing; and

Be It Further Resolved, the Council urges all citizens to participate by donating generously to the Knights and their helpers to benefit those less fortunate than ourselves.

Adopted by the following vote:

Unanimously.

By COMMITTEE OF THE WHOLE—

Resolved by the City Council of the City of Lansing:

Whereas, City Council created the Special Advisory Committee for the "100 Block" on January 19, 1981; and

Whereas, the Special Advisory Committee reported their findings and recommendations to the City Council Committee of the Whole on February 12, 1981, and in a regular City Council session on February 16, 1981, the Council accepted and approved the Special Advisory Committee recommendations; and

Whereas, those recommendations were, that plans be developed for the construction of an Exhibition/Convention facility on the east bank of the Grand River in the 300 block of East Michigan Avenue and, the development of a financing plan for the Exhibition facility in conjunction with the plan for financing the "100 Block"; and

Whereas, the Committee has developed a financing plan and mechanism and they include:

1) The Urban Development Action Grant be amended; transferring up to $3 million of the U.D.A.G. money into the hotel/office/retail complex as subordinated financing, with the U.D.A.G funds to be repaid to the City in terms and conditions to be negotiated when the amendment is approved by H.U.D.

2) The up to, but not exceeding $3 million of U.D.A.G. funds to be replaced in the Convention/Exhibition facility by utilizing tax increment bonds to be issued by the Lansing Downtown Development Authority or the Lansing Economic Development Corporation.

Now, Therefore, Be It Resolved, that the Lansing City Council does accept and approve the recommendations that the Urban Development Action Grant be amended, transferring up to $3 million from the Convention facility to the hotel/office/retail complex; and

Be It Finally Resolved, that the tax increment financing be utilized to supplant the monies in the same amount as being transferred from the U.D.A.G. funds.

Adopted by the following vote:

Unanimously.

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By COMMITTEE ON WAYS AND MEANS—

Resolved by the City Council of the City of Lansing:

That the following transfers be approved:

$ 806.00 from Donations
A/C 101-000-000-675

$ 806.00 to Parks—Citizens Contributions
A/C 101-692-000-956

$1,445.00 from Estimated Revenues
A/C 101-000-000-160

95.00 from Leisure Center, Misc. & Operating Supplies
A/C 101-728-501-741

2,000.00 from Contractual Services—Potter
A/C 101-719-001-801

25.00 from Wages—Contract—Potter
A/C 101-719-001-707

$ 120.00 to Animal Feed—Potter
A/S 101-719-000-742

1,800.00 to Horse Purchase
A/C 101-719-001-957

200.00 to Misc. & Operating Expense—Potter
A/C 101-719-000-741

335.00 to Misc. & Operating Expenses—Potter
A/C 101-719-001-741

1,110.00 to Equipment—Potter
A/C 101-719-001-977

I hereby certify that this is a properly drawn and eligible transfer.

JAMES W. DOWSETT,
Finance Director.

Approved:

TERRY J. McKANE,
JACK D. GUNTHER,
Ways and Means Committee.

Adopted by the following vote:

Unanimously.

## INTRODUCTION OF ORDINANCE

The following ordinance of the City of Lansing, Michigan, providing that the Code of Ordinances be amended by revising Sections 36-98.3, 36-104.3 and 36-114.3 to extend the terms of office for members of the Citizens' District Council No. 1, 2 and 3, was introduced by Councilman Worthington, read a fist and second time by its title and referred to the Committee on Physical Development.

By COUNCILMAN WORTHINGTON—

Resolved by the City Council of the City of Lansing:

That a public hearing be set for April 6, 1981, on the Ordinance providing that the Code of Ordinances be amended by revising Section 36-98.3, Section 36-104.3, and Section 36-114.3 to extend the terms of office for members of Citizens' District Councils No. 1, No. 2 and No. 3.

Adopted by the following vote:

Unanimously.

By COUNCILMAN McKANE—

Resolved by the City Council of the City of Lansing:

That Councilman Brenke be excused from the session.

Carried.

## REMARKS BY THE MAYOR

Reported on Softball registration.

## REMARKS BY THE CITY COUNCIL—SUSPENSION OF RULES

By COUNCILMAN WORTHINGTON—

Resolved by the City Council of the City of Lansing:

That the rules of the Council be waived for the purpose of presenting items that are not listed on the agenda.

Carried.

By COMMITTEE ON PHYSICAL DEVELOPMENT—

Resolved by the City Council of the City of Lansing:

ACT-2-81—

Whereas, it has been determined that the public alley, located in Parks Heights Subdivision extending east from Pico Avenue to Moore's Park between Britten Avenue and Sparrow Avenue, has not been improved for that use, nor is likely to be required for that use in the future; and

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Whereas, the 14 foot right-of-way is for all practical purposes, used as a rear yard by adjacent properties;

Now, Therefore, Be It Resolved by the Lansing City Council that the alley be vacated subject to reservation of easement rights for utility access and deeded to the adjacent property owners; and

Be It Further Resolved that easement rights for access be retained for that portion of the vacated alley which provides driveway access to the garage located at 804 Sparrow Avenue.

Adopted by the following vote:

Unanimously.

By COUNCILMAN BELEN—

This meeting stands adjourned.

Council adjourned at 8:05 p.m.

THEO FULTON,
City Clerk.

Lansing, Michigan

March 30, 1981

F/B

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CITY CLERK'S OFFICE
Room 921, City Hall
Lansing, Michigan 48933

Address Correction Requested

BULK RATE
U. S. POSTAGE
PAID
Permit No. 1461
Lansing, Michigan



# OFFICIAL PROCEEDINGS OF
# THE CITY COUNCIL
## OF THE CITY OF LANSING

## Proceedings, April 6, 1981

CITY COUNCIL ROOMS

Lansing, Michigan

April 6, 1981

The City Council of the City of Lansing, Michigan, met in regular session and was called to order by President Belen.

Present: Councilmen Adado, Belen, Blair, Brenke, Gunther, Lindemann, McKane, Worthington—8.

Absent: None.

The Clerk announced that a quorum of the Council was present.

Invocation was given by Councilman Gunther.

Pledge of Allegiance was led by Councilman Gunther.

### HEARING ON PROPOSED CHANGE IN ZONING CLASSIFICATION

April 6, 1981, at 7:00 o'clock being the time set as the time for holding a hearing on the proposed changes in the Classifications as provided for in the Zoning Code which was passed by the City Council on November 13, 1958, said proposed amendment being as follows:

That the property described as:

Z-20-69 — Properties at 309, 307 N. Walnut Street, 408-412-414-416, 418, 420, 426 West Ionia Street and 310 N. Chestnut Street,

be rezoned from "D" Apartment District to "D-1" Professional Office District.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed amendment(s) to the Classifications provided for in the Zoning Code he had the privilege of speaking at this time.

No objections were made to the proposed amendment(s).

Roxiemargaret D. Carr, 301 N. Walnut St., spoke in opposition to a portion.

Referred to Committee on Physical Development.

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## PUBLIC HEARING

April 6, 1981, at 7:00 o'clock being the time set as the time for holding a public hearing on the proposed ordinance to amend by revising section 36-98.3, 36-104.3 and 36-114.3 to extend the terms of office for members of Citizens' District Council Nos. 1, 2 and 3.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed ordinance they had the privilege of speaking at this time.

Bob Harris of Planning Dept. spoke and made a explanation.

Referred to Committee on Physical Development.

**THE PUBLIC MAY NOW ADDRESS THE CITY COUNCIL ON ANY OF THE FOLLOWING ITEMS LISTED ON THE AGENDA: COMMUNICATIONS AND PETITIONS, COMMITTEE REPORTS, REPORTS OF CITY OFFICERS AND BOARDS, AND RESOLUTIONS. YOU MAY SPEAK ONLY FOR 3 MINUTES ON ANY ONE ITEM.**

Committee Report No. 2 was pulled.

Resolutions No. 2b and 8 were pulled from the agenda.

Passage of Ordinance No. 9 was pulled.

Orrin Sharp, 1646 Wellington Rd., spoke and presented petitions re: Limits in government's high taxation.

## COMMUNICATIONS AND PETITIONS

The following claims have been filed:

Minnie Scott for personal items retained by Police Department and not returned.

William Curtis for damage done to his apartment door during arrest.

Referred to Mayor, City Attorney.

Letter from the March of Dimes — Capital Chapter in regard to the annual "Walkathon" to be held on April 26, 1981 and request use of Riverfront Park in connection with this.

Referred to Mayor.

Letter from Jerry Lawson, President, Capitol City Lodge No. 141 Fraternal Order of Police, enclosing a check for reimbursement to the city for the unauthorized use of a city vehicle and for compensation and mileage for personal business while on duty.

Received and placed on file.

Letters from the Unique Enterprises — Orrin E. Sharp relative:

The Grand Queen Proposal.

Referred to Mayor, Committee on Public Property and Safety.

Effect of Operations on Cash Balance.

Referred to Mayor, Committee of the Whole.

Limits in Governments High Taxation (Light).

Referred to Mayor.

Letter from the Tri-County Regional Planning Commission submitting notice that the appointments as City of Lansing's at large representatives to the commission will expire as of April 30, 1981.

Referred to Committee of the Whole.

Letter from Michigan Municipal League submitting advance notice of the 1981-82 dues.

Referred to Mayor, Committee of the Whole.

Letter from Elizabeth McGinnis, Chairperson for the Miller Area Residents expressing their continued support regarding the Edgewood Blvd. project.

Received and placed on file.

Department of Natural Resources submits flood plain application for Roy C. Markey.

Received and placed on file.

Consumers Power Company submits notice of meeting to be held on April 6, 1981.

Received and placed on file.

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Letter from Fred White Engineering Company in regard to final preliminary approval of Capitol Commons Urban Renewal.

Referred to Mayor, Planning Board.

State of Michigan, Department of Commerce, Liquor Control Commission submits notice in regard to the 1980 Class "C" license with dance-entertainment permit and Sunday Sales by Howard Johnson Company at 3224 E. Saginaw St. that is now being merged into the H-J Holding Company (now known as The Ground Round).

Referred to Mayor .

**MAYOR COMMENTS ON ANY ITEM ON THE AGENDA:**

No comment.

**REPORT OF COMMITTEE**

The COMMITTEE ON PHYSICAL DEVELOPMENT, to whom was referred the rezoning petition Z-1-81 for property at 500 S. Capitol Avenue from "D-1" Professional Office District to "E" Apartment Shop District, reports as follows:

That said rezoning be approved.

Signed:

SIDNEY P. WORTHINGTON,
LUCILE BELEN,
WILLIAM A. BRENKE,
Committee on Physical Development.

By COUNCILMAN WORTHINGTON—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

The COMMITTEE ON PHYSICAL DEVELOPMENT, to whom was referred the rezoning petition Z-20-69 for properties located at 412 ,414, 416 W. Ionia St., reports as follows:

That said rezoning be approved.

Signed:

SIDNEY P. WORTHINGTON,
LUCILE BELEN,
WILLIAM A. BRENKE,
Committee on Physical Development.

By COUNCILMAN WORTHINGTON—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

The COMMITTEE ON PHYSICAL DEVELOPMENT, to whom was referred the rezoning petition Z-44-80 for property at 5303 South Logan Street from "E-2" Drive In Shop District to a "D-1" Professional Office District, reports as follows:

That said rezoning be approved.

Signed:

SIDNEY P. WORTHNGTON,
LUCILE BELEN,
WILLIAM A. BRENKE,
Committee on Physical Development.

By COUNCILMAN WORTHINGTON—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

**REPORTS OF CITY OFFICERS AND BOARDS**

March 31, 1981

President Lucille Belen and
Members of Lansing City Council

Re: Claim of First Missionary Church, 900 North Waverly Road, Lansing, Michigan, in the amount of $51.00

Dear President Belen and
Members of City Council:

The above captioned claim was referred to this office for investigation and recommendation.

The Board Secretary of the First Missionary Church has reported that on August 9, 1980 the Church experienced problems with its sewer. Prior to calling the City so that the City could determine whether the problem was with the City line, the Church contacted a private drain cleaner. The drain cleaner reported that the problem was probably with the City sewer. After incuring charges for the drain cleaner in the amount of $51.00 for which the Church seeks reimbursement, the Church contacted the City at approximately 4:00 p.m. on August 9, 1980. The City upon receiving the call dispatched a crew to the Church, determined that the main line was plugged and opened and cleaned the main line. This work was completed by 5:30 p.m.

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Based on the above, this office is unable to find any negligence on the part of the City. Moreover, as a municipality, the City of Lansing is immune from liability based on negligence which occurred in the course of a governmental activity. MCLA 691.1401 et seq. While recent Court decisions have narrowed the scope of that immunity considerably, case authority indicates that the provision of sewer service is governmental in nature. See Beauchamp v Saginaw Twp, 74 Mich App 44 (1977). In view of the foregoing, it is the recommendation of this office that the First Missionary Church's claim should be denied.

Respectfully submitted,

STEPHEN R. SAWYER,
City Attorney.

By COUNCILMAN ADADO—

That we concur in the recommendation of the City Attorney and said claim be denied.

Carried.

March 27, 1981

President Belen and Members
of the Lansing City Council

Re: Claim of Althea Gibson in the amount of $137.00

Dear President Belen
and Councilmembers:

On March 3, 1981, the claimant submitted a claim to the City of Lansing in which she alleges that on Saturday, February 14, 1981, while driving north on the right lane on South Pennsylvania between Mt. Hope and Parkdale Streets, her vehicle hit a chuckhole and suffered a flat tire and damage to the wheel rim. Claimant states that all but $137.00 of the damage was covered by her insurance company. Further, claimant states that she notified the Department of Public Service almost immediately after the incident occurred and that the chuckhole was repaired by the Department of Public Service approximately one-half hour after she had notified the Department of Public Service.

MCLA 691.1403; MSA 3.996(103) states: "No governmental agency is liable for injuries or damage caused by defective highways unless the governmental agency knew, or in the exercise of reasonable diligence should have known, of the existence of the defect and had a reasonable time to repair the defect."

The Public Service Department informs this office that the first notification they received of the chuckhole in the right lane on South Pennsylvania between Mt. Hope and Parkdale Streets was when this claimant reported the existence of the chuckhole at 6:53 p.m. on February 14, 1981. The Department of Public Service repaired the chuckhole on February 14, 1981.

Therefore, based upon the aforementioned statute and the facts in this situation, the City had no notice of the chuckhole at this location prior to 6:53 p.m. on February 14, 1981, and, therefore, the City is governmentally immune from liability for the damage it caused. Thus, it is the recommendation of this office that the claim should be denied.

Respectfully submitted,

STEPHEN R. SAWYER,
City Attorney.

By COUNCILMAN ADADO—

That we concur in the recommendation of the City Attorney and said claim be denied.

Carried.

April 3, 1981

Council President Lucile Belen and
Members of the Lansing City Council

10th Floor, City Hall

Lansing, Michigan 48933

Dear Council President Belen and
Members of the City Council:

I am pleased to forward for your review and approval a Memorandum of Understanding between the City of Lansing and Demmer Corporation for the purchase and development of a thirty (30) acre portion of the Diamond Reo properties.

My Economic Development Advisory Group has prepared this Memorandum and reports that it will give the Demmer Corporation three (3) months to prepare and submit a detailed development plan for the Reo property. Within thirty (30) days of your approval of that plan, the Demmer Corporation will purchase the land and provide funds to the City to reconstruct off-site storm and sanitary sewers to service the new development. The land and the utilities proceeds will total $325,000.00.

Demmer Corporation has agreed that within eighteen (18) months from the land purchase, they will construct a manufacturing facility to employ a minimum of 150 new employees. The new plant will be located on approximately ten (10) acres of the Reo site and will be devoted to defense production to fulfill long term contracts held by the Demmer Corporation.

William A. "Bill" Demmer, a graduate engineer of Michigan State University, is President of the Corporation as well as Director of Engineering. He will utilize his skills and knowledge to secure other high technology industries to locate on the remaining portions of the Diamond Reo property.

The Demmer Corporation was founded in 1951 as a privately held company with several subsidiaries. These companies include Demmer Engineering and Machine Company, Demco Control Systems, and Production Tool and Supply. All three subsidiaries

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are located in Lansing, Michigan. In addition, Demmer Corporation has another plant in Petoskey, Michigan.

The primary function of the Demmer Corporation is to design and build special machinery, dies, production tools, and jigs and fixtures for the development of industrial products and other metal working machinery. They are well known for designing and building large and sophisticated turnkey systems in the metal removal and metal forming fields. They also build computerized testing equipment for the automotive and aircraft industries.

Demmer Corporation has shown a consistent growth rate in Lansing since 1970. Presently, the Corporation has 270 employees and with the expansion on the Diamond Reo site, Demmer will become the third largest manufacturing employer in the City of Lansing.

Demmer's proposal is consistent with the economic adjustment strategy you have adopted, which encourages the expansion of existing industries and diversification into non-automotive areas. Demmer is prepared to move full speed ahead upon your approval of the Memorandum of Understanding.

Mr. Demmer has offered to conduct a tour of his facilities during the coming week so that you may become familiar with the products of the Demmer Corporation.

I await your positive response to the "Memorandum of Understanding."

Sincerely,

GERALD W. GRAVES,
Mayor.

Referred to Committee of the Whole and Committee on Economic Development.

April 1, 1981

Council President Lucile Belen and
Members of the Lansing City Council

10th Floor, City Hall

Lansing, Michigan 48933

Dear Council President and Members:

I am pleased to inform you that the City of Lansing will be entering into an $89,525 contract with B & B Landscaping of Lansing for the landscape installation in the 100 Block South Washington Mall as well as planting of street trees on the remaining streets in downtown.

This work, which should begin in approximately two weeks and be completed by June 1, 1981, culminates nearly four years of efforts in planning and development of these improvements to the downtown commercial area. During that time, despite minor complaints of a very few merchants, the cooperation and support has been widespread from the majority of the businesses, the Chamber of Commerce, and the City Council. A total of $1.8 million has been invested in this project, and the City has already received benefits in improvements made to several properties along the mall. This has improved the investment climate for development of the 100 Block complex as well as finding new ownership for the old J. W. Knapp Department store.

I am pleased that the favorable price for landscape work within the 100 Block of the South Mall will enable the plantings of 58 trees on Capitol, Allegan, Washtenaw and Kalamazoo. These tree locations were selected on the basis of maximum visibility in downtown while at the same time avoiding locations where development is likely to occur. Plantings will be Marshall seedless green ash and skyline honey locusts, which are fast-growing trees with minimal leaf clean-up required.

Another 62 locations have already been identified for addiitonal tree plantings downtown, and the master plan submitted to the City Council in December 1977 also recommended improvements to be made on Michigan Avenue from Capitol to Grand. As you are aware, funds are not available for any additional work on this project. In fact, the side street plantings to be done this year are beyond the work anticipated to be accomplished in my previous communications to you.

I do wish to reiterate my request to you in my recent State of the City message that City Council provide policy direction as to the future of improvements downtown. No funds were recommended in the FY 81-82 budget which has been submitted to you, but your policy direction of whether or not to continue the downtown improvements as recommended in the master plan will enable staff to attempt to identify resources for future improvements, should you so indicate.

I will be pleased to provide staff to discuss this matter with City Council at your convenience.

Sincerely,

GERALD W. GRAVES,
Mayor.

Referred to Committee on Public Property and Safety.

April 2, 1981

Council President Lucile Belen and
Members of the Lansing City Council

10th Floor, City Hall

Lansing, Michigan 48933

Dear Council President and Members:

On January 19, 1981, you were advised that Joe Popevich, a member of the Human Resources Advisory Board would no longer serve as the Third Ward representative on this Board as he had moved to the Second

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Ward. Please be advised that Audrey Magee, a member of the Human Resources Board as a representative At Large, will now serve as the Third Ward representative to the Board. There is no change in the terms of service.

A replacement for Ms. Magee's At Large position will be forwarded to you shortly in the Annual Board Appointment letter.

Sincerely,

GERALD W. GRAVES,
Mayor.

By COUNCILMAN BLAIR—

That we concur in the recommendation of the Mayor.

Carried.

DATE: 4/1/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Submission of attached correspondence from the Police Chief. Re: Request for Crossing Guard at Resurrection School.

The attached correspondence is submitted for your information.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Public Property and Safety.

DATE: 4/1/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Submission of attached correspondence from the City Treasurer. Re: December 1980 Real and Personal Property Tax Collection Summary and Delinquent Listing.

The attached correspondence is submitted for your information.

GERALD W. GRAVES,
Mayor.

Received and placed on file.

DATE: 4/1/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the City Controller. Re: Financial Security, Delaware Park No. 2, Delaware Park No. 3.

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

By COUNCILMAN McKANE—

That we concur in the recommendation of the Mayor and said release of financial security be approved.

Carried.

DATE: 4/1/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the City Controller. Re: Financial Security, Lancen Village.

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

By COUNCILMAN McKANE—

That we concur in the recommendation of the Mayor and said release of the Financial Security be approved.

Carried.

DATE: 4/1/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the City Controller. Re: Financial Security, Simken Village No. 2.

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

By COUNCILMAN McKANE—

That we concur in the recommendation of the Mayor and said release of the Financial Security be approved.

Carried.

DATE: 4/1/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

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SUBJECT: Concurrence with attached correspondence from the City Controller. Re: Financial Security, Summerhill Subdivision.

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

By COUNCILMAN McKANE—

That we concur in the recommendation of the Mayor and said release of the Financial Security be approved.

Carried.

April 2, 1981

Council President Lucile Belen and
Members of the Lansing City Council

10th Floor, City Hall

Lansing, Michigan 48933

Dear Council President and Members:

I am very pleased to announce to City Council that a proposal has been received in this office for a recreation complex on the old Aurelius Road landfill.

The proposal has been developed by Mr. George E. "Bud" Mills of Grables, Mills, and Young landscape architects. Mr. Mills and various other investors propose to incorporate as G.M.U., Inc., for purposes of this development, which will have a construction cost in excess of $4 million.

City staff have met with the developers to discuss various details of this project, and to that end, the City Attorney's Office will have a draft lease for this use for your consideration by the Committee of the Whole meeting scheduled April 9, 1981. I would ask your consideration of time for a presentation on this proposal at that meeting.

The proposal contemplates eight softball fields, four soccer and two touch football fields, cross country skiing trails, and a golf driving range. This would be designed strictly for "pay-as-you-play" recreation, totally operated by the private sector. I fully support this concept, for I believe the City is reaching a saturation point on the capacity to accommodate additional recreation programs. The projections for leisure time activities are that more demands will exist for this type facility, and I believe the priavte sector will have to fill the gap beyond current programs.

Members of City Council are aware that a similar proposal was discussed last year with some members of Council and with some staff. However, the group of potential developers at that time never provided any written proposal to the City or responded to our written communications to them. It has been brought to my attention that the key individual in that group has subsequently filed personal bankruptcy papers.

In particular, this particular proposal includes:

—A long-term consideration lease to occupy the property, with taxes accruing to the City for the improvements to be made thereon;

—A request for commercial tax abatement for the project under Act 255 of 1978

—A request for financing through the Lansing Economic Development Corporation.

In return, the City will benefit by having a user who will occupy and maintain this property once the clay capping is completed. This will eliminate the need for the City to develop its own uses on the property or to do maintenance on the surface due to irregular settlement of the fill material underneath. Further, the City will benefit from taxes on the new development, even if the 50% abatement is granted by City Council, as well as for the new jobs to be generated by this development.

Equally important, the local economy will realize substantial benefits from the out-of-town guests who will visit Lansing to compete in softball tournaments or other athletic activities on this property. These visitors will have a substantial impact on the area's motels, restaurants and retail establishments with tournaments which are anticipated every warm weather weekend.

City Council must recognize that, because of the earlier landfill uses of this property, the final uses will be severely restricted. Few other types of development would ever be allowed by the Michigan Department of Natural Resources, which regulates landfills and which order the City clean-up of this property. The City government should be very satisfied to find any use for the property, rather than allowing it to remain fallow, and to find a firm which will be generally responsible for surface maintenance of the clay cap.

It is the intention of the developers to occupy that portion of the property where the City's work is completed as soon as possible so that work may begin by July 1, 1981. The developers have outlined a very aggressive time schedule which is attached for your information. It is my desire that the City attempt wherever possible to provide responses necessary to adhere to that time schedule. Because of the very technical nature of working on this property, however, I pledge that no shortcuts will be taken at the City's expense toward this end.

I urge your attentiveness to the presentation which I am asking before your committee on April 9, 1981, and your very favorable consideration of the draft lease to be presented to you by the City Attorney. I will be glad to provide staff to discuss this proposal at your convenience.

Sincerely,

GERALD W. GRAVES,
Mayor.

Referred to Committee of the Whole and the Committee on Economic Development.

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March 31, 1981

Council President Lucile Belen and
Members of the Lansing City Council

10th Floor, City Hall

Lansing, Michigan 48933

Dear Council President and Members:

In response to the request of the committee on Public Property and Safety, please find attached communications regarding the potential cost for demolition of the Genesee Center and the maintenance of the property as green space.

The summary on the back page indicates an annual cost of approximately $4,400 on top of a demolition cost estimated at $27,000. This does not include interest which might be derived from sale of the property.

City Assessor Paul Creevy prepared an estimate in 1980 of value of the property at $40,000 in its present condition. I have advised City Council in the past that interested purchasers do exist for the property. I believe it is in the City's best interest to sell the property as is and to allow the purchaser to determine the existing building should be rehabilitated or whether the building should be demolished and new construction undertaken.

Further, the City continues to concur cost for utilities on the property, and the property continues to be an eyesore to the neighborhood in its present condition. Any continued delay on action only provides additional opportunity for vandalism or for an unfortunate tragedy to occur.

Sincerely,

GERALD W. GRAVES,
Mayor.

Referred to Committee on Public Property and Safety.

March 31, 1981

Council President Lucile Belen and
Members of the Lansing City Council

10th Floor, City Hall

Lansing, Michigan 48933

Dear Council President and Members:

Please find attached my recent communication to the National Railroad Passenger Corporation (Amtrak) in response to concerns about continued service in Michigan and specifically to Lansing. The letter is submitted for your information.

Sincerely,

GERALD W. GRAVES,
Mayor.

Received and placed on file.

DATE: 4/1/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Director of Building Safety and Development. Re: Trash Removal Assessment.

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

By COUNCILMAN LINDEMANN—

That we concur in the recommendation of the Mayor and said assessment be placed on the assessment roll.

Carried.

## RESOLUTIONS

By COMMITTEE ON GENERAL SERVICES and COMMITTEE ON WAYS AND MEANS—

Resolved by the City Council of the City of Lansing:

Whereas, the City of Lansing is currently converting a new data processing system; and

Whereas, as part of this conversion, the City Controller is converting the manual accounting system to a computerized fiscal system; and

Whereas, in order to accomplish this development and conversion in a timely fashion, it has been recommended by the Mayor that a Principal Accountant 34 be added in the Accounting Division of the Finance Department; and

Whereas, this has been extensively reviewed and the need for, and importance of, this project and the position to the project concurred in; and

Whereas, the Mayor has recommended establishment of this position within his Fiscal Year 81-82 Recommended Budget; and

Whereas, the City Council in accordance with its policy requires an offsetting reduction elsewhere prior to approving any change in program or staffing; and

Whereas, the Administration has identified the requisite reduction;

Now, Therefore, Be It Resolved that the City Council approves the establishment of a Principal Accountant 34 in the Accounting Division of the Finance Department and deletes a Senior Appraiser 34 position in the Assessment Division of the Finance Department; and

Be It Further Rseolved, that funding of the Principal Accountant for the remainder

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of the current fiscal year be approved from residual funds within the Accounting Division salary account 101-201-000-702; and

Be It Finally Resolved that following the completion of the data processing conversion of the fiscal personnel/payroll system, but not later than July 1, 1983, a General Fund Senior Accountant 32 position be deleted from the Accounting Division.

Adopted by the following vote:

Yeas: Councilmen Adado, Belen, Brenke, Gunther, Lindemann, McKane, Worthington—7.

Nay: Councilman Blair—1.

By COMMITTEE ON PUBLIC PROPERTIES AND SAFETY—

Resolved by the City Council of the City of Lansing:

Whereas, on July 30, 1979, the City Council approved a schedule of increases in parking meter rates proposed by the Mayor; and

Whereas, 43 meters on the north side of E. Ottawa Street were included in this increase; and

Whereas, complaints have been received about the meter increase at this location which, even with the new per-hour rate, remains the least expensive on-street metered parking in the City; and

Whereas, the cost to the parking system of collections, plowing, and maintenance of this area suggests the advisability of disposing of the E. Ottawa Street excess right-of-way on which this parking area is located;

Now, Therefore, Be It Resolved the Lansing City Council hereby defers the meter increase adopted July 30, 1979, for the parking area on the north side of E. Ottawa Street until December 31, 1981, by which time the Administration is requested to develop and present to the Council a proposal for sale of the excess right-of-way to adjacent or nearby property owners for fair market value, to be used as private parking area; and

Be It Further Resolved the Administration's proposal should include appropriate street redesign, "J" zoning for the private parking area if necessary, easements if necessary, and projected costs to the City.

By COUNCILMAN LINDEMANN—

That the resolution be amended as follows:

That in the 2nd and 4th paragraphs after the words "E. Ottawa Street' the words "between Larch St. and Cedar St." be inserted.

Carried.

Councilman Blair asked to reserve the right to explain his "no" vote.

Carried.

The resolution as amended was adopted by the following vote:

Yeas: Councilmen Adado, Belen, Brenke, Gunther, Lindemann, McKane, Worthington—7.

Nay: Councilman Blair—1.

By COUNCILMAN WORTHINGTON—

Resolved by the City Council of the City of Lansing:

LS-3-81
6255 Sommerset

Whereas, pursuant to the Lansing Subdivision Regulations, being Chapter 37 of the Code of the City of Lansing, Mark Nelson has requested that Lot 55 of the Supervisor's Plat of Elmwood Farms be divided into two (2) parcels of land to be described as:

Parcel A — The north 65 feet of Lot 55, except the south 10 feet of the east 107 feet thereof, Supervisor's Plat of Elmwood Farms, City of Lansing, Ingham County, Michigan;

Parcel B — The south 45 feet and the north 10 feet of the south 55 feet of the east 107 feet of Lot 55, Supervisor's Plat of Elmwood Farms, City of Lansing, Ingham County, Michigan; and

Whereas the Planning Board, at their meeting of March 17, 1981, reviewed the request and recommended approval thereof; and

Whereas the Physical Development Committee of the Council, to whom the report of the Planning Board was referred, concurred therewith;

Now, Therefore, Bt It Resolved that the Council of the City of Lansing, in cooperation with the recommendation of the Planning Board, hereby ordains that the above described property be divided into two (2) parcels; and

Be It Further Resolved that the City Clerk be, and she is hereby, directed to notify the petitioner of this action.

Adopted by the following vote:

Unanimously.

By COUNCILMAN WORTHINGTON—

Resolved by the City Council of the City of Lansing:

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LS-4-81
1410 Whyte Street

Whereas, pursuant to the Lansing Subdivision Regulations, being Chapter 37 of the Code of the City of Lansing, Rick Raines has requested that Lots 168 and 169 of Franklin Heights Subdivision and a portion of Ohio Street measuring 30 feet by 66 feet be divided into two (2) parcels of land; and

Whereas the Planning Board, at their meeting of March 17, 1981, recommended that the proposed lot division be denied as filed, and further, recommended that the lots be divided as follows:

Parcel A: The east 72 feet of Lots 168 and 169, Franklin Heights Subdivision, City of Lansing, Ingham County, Michigan; and

Parcel B: Lots 168 and 169, except the east 72 feet, Franklin Heights Subdivision, and also commencing at the northwest corner of Lot 168; thence west 30 feet; thence south 66 feet; thence east 30 feet; thence north 66 feet to beginning; being a portion of vacated Ohio Street in Franklin Heights Subdivision; City of Lansing, Ingham County, Michigan; and

Whereas the Physical Development Committee of the City Council, to whom the report of the Planning Board was referred, concurs therewith;

Now, Therefore, Be It Resolved that the Council of the City of Lansing hereby ordains that Lots 168 and 169 and the above described portions of vacated Ohio Street, all located in Franklin Heights Subdivision, be divided into the two (2) parcels described above; and

Be It Further Resolved that the Clerk be, and she is hereby, directed to notify the petitioner of this action.

Adopted by the following vote:

Unanimously.

By COMMITTEE OF THE WHOLE—

Resolved by the City Council of the City of Lansing:

Whereas, the Developers of the 100 Block of North Washington Square have requested the City of Lansing to declare its intent to pre-lease parking spaces in the North and South Grand Parking ramp to serve the needs of the 100 Block development, and

Whereas, it is necessary for the developers to have these assurances in order to conclude the financial packaging and pre-leasing arrangements for the 100 Block Development, and

Whereas, the Special Advisory Committee, established by the City Council has recommended that the City declare its intent to provide these parking spaces, contingent upon several conditions.

Now, Therefore, Be It Resolved, by the City Council of Lansing, Michigan, that it is the intent of the City of Lansing to pre-lease to the developers of the 100 Block the following parking spaces to be allocated by the developers at the prevailing rates in effect upon completion of the construction on the 100 Block of North Washington Square:

North Grand Ramp — Up to 405 permanent spaces will be leased for the use of the 100 Block development.

South Grand Ramp — Up to 250 permanent spaces will be leased for the use of the 100 Block development.

Be It Further Resolved, that the City of Lansing will maintain 300 transient spaces in the North Grand Ramp; and

Further Be It Resolved, that it is the City's intent to retain the right to adjust the cost of these leased parking spaces based on the overall costs associated with operating the parking system; and

Be It Finally Resolved that the reservation of these spaces be contingent upon the complete financial package being in place for the hotel/office and retail structures on the 100 Block of North Washington Square.

Adopted by the following vote:

Yeas: Councilmen Adado, Belen, Brenke, Gunther, Lindemann, McKane, Worthington—7.

Nay: Councilman Blair—1.

By COUNCILMAN WORTHINGTON—

Resolved by the City Council of the City of Lansing:

Whereas, the completion of construction in the fall of 1983 on the 100 Block of North Washington Square will result in a demand for additional parking spaces for the Central Business District north of Michigan Avenue; and,

Whereas, the beginning of construction on the 100 Block will result in the immediate loss of turnover parking; and

Whereas, several proposed developments in the Central Business District south of Michigan Avenue may also create a demand for additional parking; and

Whereas, a parking space needs study is being conducted by the administration and is due to be completed by May 31, 1981; and,

Whereas, it is the policy of the City Council to encourage adequate parking to serve the future growth of the Central Business District with the users of the facilities to pay for the construction and operations thereof; and,

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Whereas, prudent planning requires that additional parking be provided simultaneous with increased need;

Now, Therefore, Be It Resolved that the City Council of Lansing, Michigan, requests the administration to forward by June 1, 1981, a parking space needs study which includes the following :

I I. Actions that can be taken by the City during construction on the 100 Block to create addiitonal turnover parking in the vicinity of the 100 Block.

II. Options, recommendations and timetables for meeting the longer term parking needs for the Central Business District; and

Be It Further Resolved, that by August 11th, 1981, City Council will forward to the administration, policy for improving turnover parking in the vicinity of the 100 Block; and,

Be It Finally Resolved, that by November 16, 1981, the City Council will decide the actions to be taken to meet the long term parking needs in the Central Business District.

Adopted by the following vote:

Unanimously.

## ZONINGS

By COUNCILMAN WORTHINGTON—

Whereas, by petition duly filed on the 17th day of November, 1980, this council was petitioned to change the following described property from "E-2" Drive-In Shop District to "F" Commercial District all as set forth in the Zoning Code of this city, and

Whereas, due notice as required by law has been given for a public hearing on said petition, and

Whereas, at such hearing held on the 2nd day of March, 1981, all parties interested therein were heard and given due consideration, and

Whereas, the property involved is described as:

Z-44-80 — 5303 South Logan Street,

More particularly described as:

Parcel No. 3305-05-276-001

Commencing at the northeast corner of Lot 20, thence south on the east lot line 175.8 feet, thence north 54° 45′ west 127.7 feet to the northeasterly right-of-way line of M-99, thence north 33° 30′ east 132.2 feet to the northwest corner of Lot 20, thence east 35.5 feet to beginning, Supervisor's Plat of Prosperity Farms, Delhi Township (now City of Lansing) Ingham County, Michigan;

from an "E-2" Drive In Shop District to an "F" Commercial District.

Whereas the Planning Board, at their meeting of January 20, 1981, recommended that the petition be denied as filed and that a "D-1" Professional Office District be approved for the site, noting that the commercial district requested is not in accord with the Southwest Area Comprehensive Plan; and

Whereas the Physical Development Committee of the Council, to whom the report of the Planning Board was referred, concurs therewith;

Now, Therefore, Be It Resolved that the Council of the City of Lansing hereby ordains that the petition to rezone the above dsecribed premises from an "E-2" Drive In Shop District to an "F" Commercial District be denied; and

Be It Further Resolved that the above described premises, in accord with the Southwest Area Comprehensive Plan, be rezoned from an "E-2" Drive In Shop District to a "D-1" Professional Office District; and

Be It Finally Resolved that the City Clerk be, and she is hereby, directed to notify the petitioner of this action.

Adopted by the following vote:

Unanimously.

COUNCILMAN ADADO left the session.

By COUNCILMAN WORTHINGTON—

Whereas, by petition duly filed on the 2nd day of February, 1981, this council was petitioned to change the following described property from "D-1" Professional Office District to "E" Apartment-Shop District all as set forth in the Zoning Code of this city, and

Whereas, due notice as required by law has been given for a public hearing on said petition, and

Whereas, at such hearing held on the 16th day of March, 1981, all parties interested therein were heard and given due consideration, and

Whereas, the property involved is described as:

Z-1-81 — 500 South Capitol Avenue.

More particularly described as:

That part of Lots 1, 2, 3, 4, 5, 8, 9, 10, 11 and 12, Block 148, Original Plat of the City of Lansing, Ingham County, Michigan, described as: Beginning on the north line of Block 148 at a point 122.0 feet east of the northwest corner of Block 148; thence south 90.0 feet on a line 17.0 feet east of

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the east wall of the six story hotel; thence southwesterly 7.1 feet; thence south 72.0 feet on a line 12.0 feet east of the east wall of the six story hotel; thence east 4.0 feet; thence south 163.0 feet to the south line of Lot 8, thence east 44.0 feet to the southeast corner of Lot 8; thence north 33.0 feet on the east line of Lot 5; thence east 49.5 feet; thence south 33.0 feet to the south line of Lot 5; thence east 115.5 feet to the southeast corner of Lot 5; thence north 330.0 feet on the east line of Block 148 to the northeast corner of Block 148; thence west 208.0 feet on the north line of Block 148 to the point of beginning.

from a "D-1" Professional Office District to an "E" Apartment Shop District.

Whereas the Planning Board, at their meeting of February 17, 1981, recommended that the petition be approved; and

Whereas the Physical Development Committee of the Council, to whom the report of the Planning Board was referred, concurred therewith;

Now, Therefore, Be It Resolved that the Council of the City of Lansing hereby ordains that the petition to rezone the above described premises from a "D-1" Professional Office District to an "E" Apartment Shop District be approved; and

Be It Further Resolved that the City Clerk be, and she is hereby, directed to notify the petitioner of this action.

Adopted by the following vote:

Unanimously.

COUNCILMAN ADADO returned to session.

By COUNCILMAN WORTHINGTON—

Whereas, by petition duly filed on the 24th day of February, 1969, this council was petitioned to change the following described property from "D" Apartment District to "D-1" Professional Office District all as set forth in the Zoning Code of this city, and

Whereas, due notice as required by law has been given for a public hearing on said petition, and

Whereas, at such hearing held on the 6th day of April, 1981, all parties interested therein were heard and given due consideration, and

Whereas, the property involved is described as:

Z-20-69 — 301, 307 North Walnut; 408, 12, 14, 16, 18, 20 and 26 West Ionia; 310 North Chestnut,

more particularly described as:

Parcel numbers; 3301-16-154-031 thru 3301-16-154-101 inclusive; Lots 5, 6, 7, and 8, Block 86, Original Plat, City of Lansing, Ingham County, Michigan;

from a "D" Apartment District to a "D-1" Professional Office District.

Whereas the Planning Board, at their meeting of March 4, 1969, recommended that the petition be approved; and

Whereas the Physical Development Committee of the City Council, to whom the report of the Planning Board was referred, recommended that the properties commonly known as 412, 414 and 416 West Ionia Street be rezoned from a "D" Apartment District to a "D-1" Professional Office District, and that the properties commonly known as 301, 307 North Walnut, 408, 418, 420, and 426 West Ionia and 310 North Chestnut remain in Committee for further study;

Now, Therefore, Be It Resolved that Council of the City of Lansing hereby ordains that the petition to rezone the properties commonly known as 412 West Ionia, more particularly described as:

Parcel No. 3301-16-154-071

The west 33 feet of Lot No. 5 and the west 35 feet of Lot 6, Block 86, Original Plat of the City of Lansing, Ingham County, Michigan; and

414-416 West Ionia, more particularly described as:

Parcel No. 3301-16-154-061

The east 3 rods (49.50 feet) of Lot 7 and 8, Block 86 of the Original Map of the Town of Michigan (now City of Lansing), Ingham County, Michigan;

be approved; and

Be It Further Resolved that the remainder of the properties remain in the "D" Apartment District and the petition concerning these properties remain in the Physical Development Committee for further study; and

Be It Finally Resolved that the City Clerk be, and she is hereby, directed to notify the current property owners of this action.

COUNCILMAN BLAIR abstained from voting.

Adopted by the following vote:

Unanimously.

By WAYS AND MEANS COMMITTEE—

Resolved by the City Council of the City of Lansing:

That the following transfer be approved:

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$500.00 from District Court Sick Time
A/C 760-136-000-711

$500.00 to District Court Ovetime
A/C 760-136-000-708

I hereby certify that this is a properly drawn and eligible transfer.

JAMES W. DOWSETT,
Finance Director.

Approved:

TERRY J. McKANE,
WILLIAM A. BRENKE,
JACK D. GUNTHER,
Ways and Means Committee.

Adopted by the following vote:

Unanimously.

By COUNCILMAN JACK GUNTHER—

Resolved by the City Council of the City of Lansing:

Resolved by the City Council of the City of Lansing, the waiver of the residency requirement for the Public Service Director, Howard G. McCaffery, is hereby extended to September 1, 1981.

Adopted by the following vote:

Yeas: Councilmen Belen, Brenke, Gunther, Lindemann, McKane—5.

Nays: Councilmen Adado, Blair, Worthington—3.

## INTRODUCTION OF ORDINANCE(S)

The following ordinance(s) of the City of Lansing, Michigan, providing that the Code of Ordinances be amended by:

Adding new sections to be numbered Section 36-99.25.5 and Section 36-116.8 to provide for amendments to the amended Physical Development Plans for Neighborhood Development Area No. 2 and Neighborhood Development Area No. 3 within the City of Lansing.

Adding new sections to be numbered 36-99.25.7 and 36-116.10 to said Code to provide for amendments to the amended Physical Development Plans for Neighborhood Development Area No. 2 and Neighborhood Development Area No. 3 within the City of Lansing.

Adding new sections to be numbered Section 36-99.1D, Section 36-99.25.6, Section 36-116.9 and Section 36-139.7.1 to provide for amendments to the amended Physical Development Plans for Neighborhood Development Area No. 1, Neighborhood Development Area No. 2, Neighborhood Development Area No. 3 and for an amendment to the Physical Development Plan for Neighborhood Development Area No. 4 within the City of Lansing.

was introduced by Councilman Worthington, read a first and second time by their title(s) and referred to the Committee on Physical Development.

## REMARKS BY THE MAYOR'S ASSISTANT

Mayor called on James Dowsett to speak relative to Orrin Sharp letter 5c—Limit in Governments High Taxation.

## REMARKS BY THE CITY COUNCIL SUSPENSION OF RULES

By COUNCILMEN WORTHIGNTON-GUNTHER—

Resolved by the City Council of the City of Lansing:

That the rules of the Council be waived for the purpose of presenting items that are not listed on the agenda.

Carried.

Request from Capitol Unit — Michigan Licensed Beverage Association for special 24-hour liquor permit for April 14, 1981 — Michigan National Guard Armory.

By COUNCILMAN GUNTHER—

That the request be granted and the 24-hour permit be obtained from the Michigan Liquor Control Commission.

Carried.

The COMMITTEE ON PUBLIC PROPERTIES AND SAFETY, to whom was referred the letter from Lansing Community College requesting a 100 space parking area in the northwest section of Riverfront Park, reports as follows:

The request is denied. The area of Riverfront Park proposed for parking is overdue for development, and such development remains as a Council priority.

Signed:

PAT LINDEMANN,
SIDNEY P. WORTHINGTON,
JAMES D. BLAIR,
Committee on Public Properties and Safety.

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By COUNCILMAN LINDEMANN—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

Glenn Freeman of Communications Workers employees, Michigan Bell, spoke re: parking spaces in downtown.

C. C. McCauley, 2804 Wabash, spoke about downtown parking.

The following persons spoke relative "Tot Lot":

Katherine Kochendorfer, 1513 Donora St., spoke and presented figures on park area.

Betty Draher, 1513 Donora St., spoke and presented petitions.

Jerry Holden, 1429 Ada St., spoke.

Mrs. Leonard, 1507 Donora St., spoke.

By COUNCILMAN BELEN—

That this meeting stand adjourned.

Carried.

Council adjourned at 8:40 p.m.

THEO FULTON,
City Clerk.

Lansing, Michigan

April 6, 1981

F/B

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CITY CLERK'S OFFICE
Room 921, City Hall
Lansing, Michigan 48933

Address Correction Requested

BULK RATE
U. S. POSTAGE
PAID
Permit No. 1461
Lansing, Michigan



# OFFICIAL PROCEEDINGS OF
# THE CITY COUNCIL
## OFFICIAL PROCEEDINGS OF

## Proceedings, April 13, 1981

CITY COUNCIL ROOMS
Lansing, Michigan
April 13, 1981

The City Council of the City of Lansing, Michigan, met in regular session and was called to order by President Belen.

Present: Councilmen Adado, Belen, Blair, Brenke, Gunther, Lindemann, McKane, Worthington—8.

Absent: None.

The Clerk announced that a quorum of the Council was present.

Invocation was given by Councilman Worthington.

Pledge of Allegiance was led by Councilman Worthington.

By COUNCILMAN McKANE—

That the Council Proceedings of March 23, 1981, be approved.

Carried.

HEARING ON PROPOSED CHANGE IN ZONING CLASSIFICATIONS

April 13, 1981, at 7:00 o'clock being the time set as the time for holding a hearing on the proposed changes in the Classifications as provided for in the Zoning Code which was passed by the City Council on November 13, 1958, said proposed amendment being as follows:

That the property described as:

SUP-2-81—218 S. Butler Blvd. (to be used as an overnight shelter for people who are temporarily homeless and need a place to sleep).

The President announced that if there was anyone present who had any suggestions or objections to make to the proposed amendment to the Classifications provided for in the Zoning Code he had the privilege of speaking at this time.

No objections were made to the proposed amendment.

Barbara Curtis, 4419 Seaway, spoke for the shelter.

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Carolyn Horvath, 540 W. Willow, Apt. B-21, spoke for shelter.

Betty Dooley, Hunger Cancer Coalition, spoke in favor of shelter.

Father Dougherty, 320 M.A.C. Ave., East Lansing, spoke.

Father Richard Preston, Cristo Rey Center, spoke.

Kevin Bowling, 321 W. Shiawassee St., spoke.

Referred to Committee on Physical Development.

**PUBLIC HEARING, NDA NO. 2 AND NDA NO. 3**

**Monday, April 13, 1981, 7:00 P.M.**

CITY CLERK FULTON: This is the time set for the public hearing on the proposed amendments to the amended Physical Development Plans for Eastside Neighborhood Development Area No. 2 and Northside Neighborhood Development Area No. 3. This hearing is to consider amendments prepared pursuant to the requirements of Michigan Act 344 of the Public Acts of 1945 as amended.

PRESIDENT BELEN: The Clerk will read.

CITY CLERK FULTON: The proposed amendments contain provisions for the improvement of the Neighborhood Rehabilitation Standards.

PRESIDENT BELEN: Sandra Hearns of the Lansing Planning Department will now proceed with the introduction of the exhibits.

SANDRA HEARNS: President Belen, members of City Council, ladies and gentlemen, this public hearing is being held in accordance with Michigan Act 344 of the Public Acts of 1945, as amended, an act known as the Blighted Areas Act. For the purpose of the record, I would like to introduce seven exhibits regarding the background of these proposals and activities that have occurred in preparation for this hearing.

(It is not necessary to read each of the exhibits, but their description follows:)

**Exhibit No. 1** are certified copies of excerpts from Citizens' District Council No. 2 minutes of the January 17, 1981, and Citizens' District Council No. 3 minutes of January 13, 1981, in which the members tentatively approved the proposed changes in Rehabilitation Standards.

**Exhibit No. 2** is a certified copy of an excerpt of the Planning Board's minutes of February 17, 1981, in which the members tentatively approved the proposed changes in rehabilitation standards.

**Exhibit No. 3** is background information on the proposed Neighborhood Improvement Guidelines.

**Exhibit No. 4** is a copy of the Resolution of the City Council setting April 13, 1981, as the date of the Public Hearing to consider the proposed plan amendments.

**Exhibit No' 5** is a certified copy of the notice of Public Hearing that was published in the Lansing State Journal on March 17, 1981.

**Exhibit No. 6** is an affidavit affirming that notice of the Public Hearing was mailed to residents and property owners in the development and district areas of Neighborhood Devlopment Area No. 2 and Neighborhood Development Area No. 3 on March 26, 1981.

**Exhibit No. 7** is an affidavit affirming that notice of the Public Hearing was distributed door-to-door to the residents in the development and district areas of Neighborhood Development Area No. 2 and Neighborhood Development Area No. 3 on March 27 and 28, 1981.

The proposal to change the guidelines is being made at this time in an effort to assemble a set of guidelines which will encourage more participation by homeowners in the Community Development Housing Rehabilitation Program.

PRESIDENT BELEN: Anyone in the audience who would like to comment on the proposed Neighborhood Improvement Guidelines for properties in Neighborhood Development Areas No. 2 and No. 3, please step to the microphone. State your name, address and comments, keeping in mind that there may be other people who would like to be heard.

Public Comment on Plan Amendments for Neighborhood Development Areas No. 2 and No. 3

PRESIDENT BELEN: If there are no further comments, then the Planning Department is directed by the Chair to forward the Amendments to Neighborhood Development Areas No. 2 and No. 3 for their review. Pursuant to Public Act 344, the District Councils' action must be completed during the 10 day period ending April 23, 1981.

Sarah Feighner, 1423 Reo Ave., spoke for Citizens' District Council No. 4.

Bob Smith, 1029 Morgan St., spoke for Citizens' District Council No. 2.

Referred to Committee on Physical Development.

**PUBLIC HEARING, NDA NO. 1, NDA NO. 2, NDA NO. 3 AND NDA NO. 4 PLAN AMENDMENTS**

**Monday, April 13, 1981, 7:00 P.M.**

CITY CLERK FULTON: This is the time for the public hearing on the proposed

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amendments to the amended Physical Development Plans for the Westside Neighborhood Development Area No. 1, Eastside Neighborhood Development Area No. 2, Northside Neighborhood Development Area No. 3 and to the Physical Development Plan for the Southside Neighborhood Development Area No. 4. This hearing is to consider amendments prepared pursuant to the requirements of Michigan Act 344 of the Public Acts of 1945 as amended.

PRESIDENT BELEN: The Clerk will read.

CITY CLERK FULTON: The proposed amendments contain provisions for a permanent lien to be placed on any portion of a deferred loan/grant in excess of $15,000 at 0% interest.

PRESIDENT BELEN: Sandra Hearns of the Lansing Planning Department will now proceed with the introduction of the exhibits.

SANDRA HEARNS: President Belen, members of City Council, ladies and gentlemen, this public hearing is being held in accordance with Michigan Act 344 of the Public Acts of 1945, as amended, an act known as the Blighted Areas Act. For the purpose of the record, I would like to introduce seven exhibits regarding the background of this proposal and activities that have occurred in preparation for this hearing.

(It is not necessary to read each of the exhibits, but their description follows:)

**Exhibit No. 1** are certified copies of excerpts from Citizens' District Council No. 1 minutes of April 7, 1981, Citizens' District Council No. 2 minutes of January 17, 1981, Citizens' District Council No. 3 minutes of January 13, 1981, and Citizens' District Council No. 4 minutes of January 7, 1981, in which the members tentatitvely approved the permanent lien proposal.

**Exhibit No. 2** is a certified copy of an excerpt of the Planning Board's minutes of February 17, 1981, in which the members tentatitvely approved the permanent lien proposal.

**Exhibit No. 3** is background information on the proposed permanent lien.

**Exhibit No. 4** is a copy of the Resolution of the City Council setting April 13, 1981, as the date of the Public Hearing to consider the proposed plan amendments.

**Exhibit No. 5** is a certified copy of the notice of Public Hearing that was published in the Lansing State Journal on March 17, 1981.

**Exhibit No. 6** is an affidavit affirming that notice of the Public Hearing was mailed to residents and property owners in the development and district areas of Neighborhood Development Area No. 1, Neighborhood Development Area No. 2, Neighborhood Development Area No. 3 and Neighborhood Development Area No. 4 on March 26, 1981.

**Exhibit No. 7** is an affidavit affirming that notice of the Public Hearing was distributed door-to-door to the desidents in the district and development areas of Neighborhood Development Area No. 1, Neighborhood Development Area No. 2, Neighborhood Development Area No. 3, and Neighborhood Development Area No. 4 on March 27 and 28, 1981.

The proposed permanent lien will assist the City and residents in renovating deteriorating structures, and reducing the number of residential acquisitions thereby helping to preserve the housing stock. Therefore, it is recommended that the prmanent lien be adopted.

PRESIDENT BELEN: Anyone in the audience who would like to comment on the proposed permanent lien for properties with deferred loan/grants in excess of $15,000 in Neighborhood Development Area No. 1, No. 2, No. 3, and No. 4, please step to the microphone. State your name, address, and comments, keeping in mind that there may be other people who would like to be hard.

Public Comment on Plan Amendments
for Neighborhood Development Areas
No. 1, No. 2, No. 3 and No. 4

PRESIDENT BELEN: If there are no further comments, then the Planning Department is directed by the Chair to forward these Amendments to Neighborhood Development Areas No. 1, No. 2, No. 3 and No. 4 for their review. Pursuant to Public Act 344, the District Councils' action must be completed during the 10 day period ending April 23, 1981.

Resident of 204 S. Eighth St. spoke; owns property on Island Ave.

Philip Creps, 1224 N. High St., spoke.
Gene Allen, 1027 E. Grand River Ave., spoke.

Referred to Committee on Physical Development.

## PUBLIC HEARING, NDA NO. 2 AND NDA NO. 3

**Monday, April 13, 1981, 7:00 P.M.**

CITY CLERK FULTON: This is the time set for the public hearing on the proposed amendments to the amended Physical Development Plans for Eastside Development Area No. 2 and Northside Development Area No. 3. This hearing is to consider amendments prepared pursuant to the requirements of Michigan Act 344 of the Public Acts of 1945 as amended.

PRESIDENT BELEN: The Clerk will read.

CITY CLERK FULTON: The proposed amendments contain provisions for the improvement of the Financial Services.

PRESIDENT BELEN: Sandra Hearns of the Lansing Planning Department will now

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proceed with the introduction of the exhibits.

SANDRA HEARNS: President Belen, members of City Council, ladies and gentlemen, this public hearing is being held in accordance with Michigan Act 344 of the Public Acts of 1945, as amended, an act known as the Blighted Areas Act. For the purpose of the record, I would like to introduce seven exhibits regarding the background of the proposals and activities that have occurred in preparation for this hearing.

(It is not necessary to read each of the exhibits, but their description follows:)

**Exhibit No. 1** are certified copies of excerpts from Citizns' District Council No. 2 minutes of December 17, 1980, and Citizens' District Council No. 3 minutes of December 16, 1980, in which the members tentatively approved the proposed changes in Financial Services.

**Exhibit No. 2** is a certified copy of an excerpt of the Planning Board's minutes of February 17, 1981, in which the members tentatively approved the proposed changes in Financial Services.

**Exhibit No. 3** is background information on the proposed Financial Services.

**Exhibit No. 4** is a copy of the Resolution of the City Council setting April 13, 1981, as the date of the Public Hearing to consider the proposed plan amendments.

**Exhibit No. 5** is a certified copy of the notice of Public Hearing that was published in the Lansing State Journal on March 17, 1981.

**Exhibit No. 6** is an affidavit affirming that notice of the Public Hearing was mailed to residents and property owners in the development and district areas of Neighborhood Development Area No. 2 and Neighborhood Development Area No. 3 on March 26, 1981.

**Exhibit No. 7** is an affidavit affirming that notice of the Public Hearing was distributed door-to-door to the residents in the development and district areas of Neighborhood Development Area No. 2 and Neighborhood Development Area No. 3 on March 27 and 28, 1981.

Participation in the Community Development Housing Rehabilitation Program is less than was expected when the Physical Development Plan for NDA No. 2 and NDA No. 3 were written. It is anticipated that the proposed amendments will serve as a financial incentive to homeowners and thus increase the level of participation.

PRESIDENT BELEN: Anyone in the audience who would like to comment on the proposed Financial Services for properties in Neighborhood Development Areas No. 2 and No. 3, please step to the microphone. State your name, address and comments, keeping in mind that there may be other people who would like to be heard.

Public Comment on Plan Amendments for Neighborhood Development Areas No. 2 and No. 3

PRESIDENT BELEN: If there are no further comments, then the Planning Department is directed by the Chair to forward these Amendments to Neighborhood Development Areas No. 2 and No. 3 for their review. Pursuant to Public Act 344, the District Councils' action must be completed during the 10 day period ending April 23, 1981.

Referred to Committee on Physical Development.

**THE PUBLIC MAY NOW ADDRESS THE CITY COUNCIL ON ANY OF THE FOLLOWING ITEMS LISTED ON THE AGENDA: COMMUNICATIONS AND PETITIONS, COMMITTEE REPORTS, REPORTS OF CITY OFFICERS AND BOARDS AND RESOLUTIONS. YOU MAY SPEAK ONLY FOR 3 MINUTES ON ANY ONE ITEM.**

Resolution No. 1 removed.

Nancy Quasenbury, 4808 Hughes Rd., spoke re: petition presented.

John Ruskin, Ingham County Health Department, spoke on Letter No. 12.

Gerald Beckwith speaking for Walter Jones in re: Sewer Ordinance.

Gary Andrews, 560 Brookland Blvd., spoke on resolution 4b.

Nancy Ubel, Junior League, spoke regarding their projects.

## COMMUNICATONS AND PETITIONS

The following applications and bonds have been filed for licenses:

RUBBISH HAULER LICENSE—

Granger Equipment Company (15 trucks)

Rurio E. Cobb (1 truck)

Kleen-Rite Enterprises (2 trucks)

MECHANICAL AMUSEMENT DEVICE LICENSE—

Corey's Lounge

Stober's Cocktails

Moriarity's

Wagner's, Inc.

Harry's Place

SIGN ERECTOR—

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Louis Brooke

Central Advertising Co.

National Advertising

SECOND HAND STORE—

Charlies Second Hand Store

BUILDING WRECKER—

Dunigan Bros., Inc.

JUNK DEALER—

Friedland Iron & Metal

DRAIN LAYER—

Victor Garmyn & Son

Bobby Freeman

AUCTIONEER—

James Korrey

David Oller

Harley Hatcher

TAXICABS—

Michigan Yellow Cab (50)

Courtesy Cab Co. (38)

Referred to Committee on General Services.

Verified notice of claim in regard to Watertite Concrete Systems, Inc.—Parking Garage Renovations.

Referred to Mayor, City Attorney.

Petition filed for rezoning:

Z-15-81—

Lot 2 and the Southeasterly 15 feet of Lot 5, Sonnybrook Plat, City of Lansing, Ingham County, Michigan, from "E-1" Drive-In Shop District to "DM" Multiple Family Dwelling District—(2605 E. Cavanaugh Rd.).

Referred to Mayor, Planning Board.

V.B.K. Builders, Inc., request final approval for the plat of Keep Meadows Subd. No. 2.

Referred to Mayor, Planning Board.

Petition filed for curb and gutter on Seventh Avenue from Randall Street to Vance Stret.

Referred to Mayor, Department of Public Service.

Petition filed requesting that Hughes Rd. be paved.

Referred to Mayor, Department of Public Service.

Letter from the Parthenon Restaurant at 227 S. Washington Avenue, seeking approval and/or advice as to how to proceed in building a sidewalk cafe in front of their place of business.

Referred to Mayor.

Letter from Edward G. Moore requesting permission to operate a portable food establishment at the fish ladder in North Lansing behind his establishment at 216 E. Grand River Avenue.

Referred to Mayor, Committee on Public Property and Safety.

Letter from John P. Hayes in regard to surcharge fee being added to the golf-green fees on city owned golf courses for non-resident persons.

Referred to Mayor, Park Board.

Letter from CATA—Capital Area Transportation Authority in regard to proposed reductions being made in a number of routes.

Referred to Mayor, All City Council Members.

State of Michigan—Public Service Commission submits application of Consumers Power Co. for authority to implement a program pursuant to the Michigan Residential Conservation Service State Plan and recover costs through uniform surcharges.

Received and placed on file.

Letter from Ingham County Healtlh Department in regard to Aurelius Road Landfilll Site Development.

Referred to Mayor.

Copy of letter from the U. S. Environmental Protection Agency that was sent to the Public Service Director—Howard McCaffery advising that the request for a grant increase on the Treatment Works Grant Step I has been approved.

Received and placed on file.

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MAYOR COMMENTS ON ANY ITEM ON THE AGENDA

No comment.

REPORTS OF COMMITTEES

The COMMITTEE ON GENERAL SERVICES approves the following applications and bonds for licenses:

RUBBISH HAULER LICENSE—

Granger Equipment Company (15 trucks)

Rurio E. Cobb (1 truck)

Kleen-Rite Enterprises (2 trucks)

MECHANICAL AMUSEMENT DEVICE LICENSE—

Corey's Lounge

Stober's Cocktails

Moriarity's

Wagkner's, Inc.

Harry's Place

SIGN ERECTOR—

Louis Brooke

Central Advertising Co.

National Advertising

SECOND HAND STORE—

Charlies Second Hand Store

BUILDING WRECKER

Dunigan Bros., Inc.

JUNK DEALER—

Friedland Iron & Metal

DRAIN LAYER

Victor Garmyn & Son

Bobby Freeman

AUCTIONEER—

James Korrey

David Oller

Harley Hatcher

TAXICABS—

Michigan Yelllow Cab (50)

Courtesy Cab Co. (48)

Signed:

WILLIAM A. BRENKE,
PAT LINDEMANN,
TERRY J. McKANE,
Committee on General Services.

By COUNCILMAN BRENKE—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

The COMMITTEE ON PHYSICAL DEVELOPMENT and COMMITTEE ON WAYS AND MEANS, to whom was referred the ordinance of the City of Lansing providing that the Code of Ordinances be amended by revising Sections 27-35 and 27-58 to increase monthly sewage and inspection rates in order to offset a portion of the increased maintenance and operation costs, and further, to eliminate the charges assessed pursuant to the Metropolitan Landel Sewer District so that sewer rates are consistent through the City of Lansing, reports as follows:

That said ordinance be passed.

Signed:

SIDNEY P. WORTHINGTON,
LUCILE BELEN,
JACK D. GUNTHER,
WILLIAM A. BRENKE,
Committee on Physical Development.

Signed:

TERRY J. McKANE,
WILLIAM A. BRENKE,
JACK D. GUNTHER,
Committee on Ways and Means.

By COUNCILMEN WORTHINGTON-McKANE—

That the report of the Committee be adopted.

Adopted by the following vote:

Yeas: Councilmen Adado, Belen, Brenke, Gunther, Lindemann, McKane, Worthington—7.

Nays: Councilman Blair—1.

The COMMITTEE ON PHYSICAL DEVELOPMENT, to whom was referred the ordinance of the City of Lansing providing that the Code of Ordinances be amended by revising Sections 36-98.3, 36-104.3 and 36-114.3 for the purpose of extending the terms of certain Citizens' District Council Members in NDA Areas No. 1, 2 and 3, reports as follows:

That said ordinance be approved.

Signed:

SIDNEY P. WORTHINGTON,
LUCILE BELEN,
WILLIAM A. BRENKE,
Committee on Physical Development.

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By COUNCILMAN WORTHINGTON—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

## REPORTS OF CITY OFFICERS AND BOARDS

April 7, 1981

President Lucile Belen and
Members of the City Council

Re: Redemption of William Coleman v City of Lansing

Dear President Belen and

Members of City Council:

In accordance with Article 4, Section 4-304.7 of the Lansing City Charter this office hereby presents its recommendation for redemption of the above captioned matter in the amount of $13,917.00.

On June 4, 1980, Mr. Coleman filed a petition with the Workers Disability Compensation Bureau alleging a lower back injury resulting from a fall down a flight of stairs while working for the Lansing Housing Commission. Mr. Coleman was treated by Dr. Silva with unsuccessful results. Mr. Coleman then began treatment with a chiropractor and continues to receive such treatment.

In preparation for trial, three depositions were taken, two of which indicated that Mr. Coleman continued to suffer low back disability as a result of his accident with the Lansing Housing Commission. Such testimony, if accepted by the Hearings Officer would result in continued and substantial liability of the City. In light of that possibility, at the time of trial this office tentatively agreed to redeem the City's liability for the amount of $13,917.00 subject to City Council approval. Of that amount approximately $5,500.00 represents the City's obligation to pay accrued compensation in the event the matter is decided against the City. In addition, if this matter is decided against the City, Lansing would be liable for future weekly benefits, rehabilitation expenses and all reasonablle and necessary medical expenses, including the continuing chiropractic fees.

In view of the foregoing, the uncertainty of litigation and the fact that Mr. Coleman continues to seek chiropractic assistance, it is the recommendation of this office that the City's liability under the Workers Disability Compensation Act be redeemed for the amount of $13,917.00.

Respectfully submitted,
STEPHEN R. SAWYER,
City Attorney.

By COUNCILMAN ADADO—

That we concur in the recommendation of the City Attorney and the City Clerk be and she is authorized to draw a warrant on the City Treasurer in the amount of $13,917.00 payable to William Coleman.

Carried.

April 7, 1981

President Belen and Members

Lansing City Council

Gentlemen:

Attached is an application for a parade permit from Capitol Chapter—March of Dimes, scheduled for 7:00 a.m. on April 26, 1981. You will note, this application has been signed by all necessary department heads.

Our Traffic Bureau estimates this parade will cost the City of Lansing the total of $49.50, which represents two officers and two vehicles for a total of six hours.

This is being forwarded to you for final action.

Respectfully yours,

RICHARD A. GLEASON,
Chief of Police.

By COUNCILMAN GUNTHER—

That we concur in the recommendation of the Chief of Police and said parade permit be approved.

Carried.

DATE: April 8, 1981

TO: City Council President Lucile Belen, Mayor Gerald Graves and City Clerk Theo Fulton

FROM: Edward J. Piloske, Principal Internal Auditor

SUBJECT: Monitoring Audit of City of Lansing's CETA Contracts (City Proper)

In accordance with Section 3-402.3 of the City Charter, the Office of Internal Audit submits the following monitoring audit report on the City of Lansing's CETA, FY 1979-80, Title IID, Title VI, Title VI Work Projects and Administrative Cost Pool contracts. The scope of this audit was confined to the City's segment, proper. The issuance of the audit report for the FY 1979-80 Grants at this time was predicated upon the completion of closeout actions pertaining to those contracts.

In addition to the objectives mandated

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by the Charter, the intent of this audit is to review the City's CETA grants to prepare them for federal audit. Since our audit was conducted in accordance with federal standards and utilized CETA audit guide methodology, logic and points of emphasis, it, in effect, simulated a federal audit. The purpose of simulation being such, that if our recommendations are implemented now, audit exceptions and citations of disallowed costs upon federal audit should be non-existent or minimal. The final aim of the audit being to assure that the City of Lansing receives the full reimbursement to which it is entitled under its CETA grants.

In the past CETA fiscal year, FY 1979-80, Internal Audit has issued numerous audit reports on the multitude of CETA subcontracts which the City subgrants. This audit report of the City's segment of CETA proper, constitutes the last report of the CETA cycle. It might be noted that the City of Lansing is reimbursed for costs Internal Audit sustained in providing the reports. Thus, Internal Audit is pleased to have provided such protective services this past year, effectively safeguarding both CETA subagents and the City of Lansing.

Received and placed on file.

April 8, 1981

Honorable Mayor Gerald W. Graves,

Council President Lucile Belen,
and Members of the City Council

Dear Mayor Graves and Council Members:

We are forwarding to you a resolution approved by the Lansing Economic Development Corporation Board of Directors of action taken at a regular meeting held on April 1, 1981, approving the Resolution of Inducement, Designation of Project Area and Designation of Bond Counsel. Therefore, it will be necessary for you to appoint two (2) Temporary Directors to this project.

The applicant proposes to acquire, expand and equip an existing facility known as the Demmer Engineering Oakland Street Plant located at 705 East Oakland Street, Lansing, Michigan. The applicant is asking for approximately Five Hundred Fifty Thousand Dollars ($550,000) in EDC bonds.

The Economic Development Corporation is in the process of developing a Project Plan to be presented to you at a future date.

Also, inasmuch as there is no residential area to be affected by the Project Plan, we believe that it is not necessary to establish a Project Citizens District Council.

Sincerely yours,

EMERSON B. OHL,
Executive Director.

Referred to Committee on Economic Development.

April 8, 1981

Honorable Mayor Gerald Graves,

Council President Lucille Belen,
and Members of the City Council

Dear Mayor Graves and Council Members:

We are forwarding to you a resolution approved by the Lansing Economic Development Corporation Board of Directors of action taken at a regular meeting held on April 1, 1981, approving the Resolution of Inducement, Designation of Project Area and Designation of Bond Counsel. Therefore, it will be necessary for you to appoint two (2) Temporary Directors to this project.

The applicant proposes construction of a 6,144 square foot building to be used for a Quality Dairy Retail Convenience Store for the area in south Lansing, surrounding Pleasant Grove and Holmes Road. They are asking for approximately Two Hundred Fifty Thousand Dollars ($250,000) in EDC bonds.

The Economic Development Corporation is in the process of developing a Project Plan to be presented to you at a future date.

Also, inasmuch as there is no residential area to be affected by the Project Plan, we believe that it is not necessary to establish a Project Citizens District Council.

Sincerely yours,

EMERSON B. OHL,
Executive Director.

Referred to Committee on Economic Development.

April 7, 1981

Council President Lucile Belen and
Members of the Lansing City Council

10th Floor, City Hall

Lansing, Michigan 48933

Dear Council President and Members:

For weeks, members of the Italian American community, the Polish American, Mexican American, German American, and members of other groups, as well as hundreds of other people, have asked the same question: "When are you going to announce for re-election?" My reply has always been the same: "Whether or not I run again depends upon a family decision."

Why the concern of family? My family has always been a part of my holding public office. The family answers most of the 10-23 phone calls daily (nightly) which are placed to my home, inasmuch as I am gone a lot—unlike some office holders, I maintain a listed telephone number, so calls come in regularly, including over the

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weekends. Too, many events I attend late in the evening. My work schedule of 56-60 hours a week, and more, does not allow for personal activities and vacations are infrequent. The family has a great concern.

One week ago, at 5:45 A.M., my son, Bill, telephoned from Fort Campbell, Kentucky, where he serves in the Regular Army of the United States, and his first words were, "Dad, I vote 'no' regarding your decision to run again at this time. Mom and the rest of the family are of the same decision: finish your term of office and relax for several months. When you leave office, you will have served 7½ years as City Treasurer, and almost 13 years as Mayor and you deserve some time off."

Therefore, I am announcing on this date —the Twelfth Anniversary of my first having been elected Mayor of the City of Lansing—that I will **NOT** be a candidate to succeed myself again. It is a most difficult decision. However, since my son's call, I have reviewed where the City was at when I took office on April 14, 1969, and where we are at now. The following is a re-cap, and I will start with a few excerpts from my first Budget Recommendations, and bring you up to date.

**Budget Recommendations Submitted March 23, 1970, and Included:**

(Property tax **decrease to $10.42** from **$13.50**, or $3.08 per $1,000 of assessed valuation, the lowest City rate in 34 years.)

$2,036,000 for general employees, police and fire total benefits, i.e., health, life insurance, retirement contributions, social security payments for employees, etc.*

$ 800,900 for capital improvements, including $35,000 for Gier Park; $9,000 for Potter Park Improvements; $16,400 for acquisition of Edmore and Westside neighborhood park sites; $40,000 for mini-parks; $13,000 for Michigan Avenue ski-sled hill improvements; $45,000 for a Master Sewer Plan; $250,000 as City's share of sewers; $160,000 for sewer purposes in Jolly Road between Waverly and Pleasant Grove; $125,000 for **pedestrian overpasses.**

**Budget Recommendations Submitted March 22, 1971, and Included:**

(Property tax increase of $2.14 to a rate of $12.56) ($12.80 actual).

$ 88,500 for new ladder rig

$ 40,000 for new fire engine pumper (replaced a 24 year old piece)

$ 250,000 for City portion of storm sewers

$ 40,000 for completioin of delayed Master Sewer Plan

$ 90,000 for Hillcrest Drive Drain
$ 300,000 for Weigman Drain
relief for 2,000 homes

$ 20,000 for 2 new ambulances

$ 9,000 for Children's Zoo at Potter Park

$ 360,000 Social Security contributions for employees

Called for **elimination of 1% Tax Collection Fee,** previously imposed on property owners by City Council.

**Budget Recommendations Submitted March 22, 1972, and Included:**

(Property tax **decrease** of 9 cents per $1,000 of assessed valution—rate of **$12.71)**

$ 150,000 City share of petitioned storm sewers

$ 50,000 to complete storm and sanitary sewer needs in Urban Renewal Area Number 1—Central Business District

$ 30,000 for Storm drainage relief for 50 homes

$ 15,000 for Holmes Road Extension—Waverly West drainage needs for new development

$ 140,000 for Public Service Department Garage and Motor Pool

$ 16,800 to acquire site for the West Side Neighborhood Center

$ 178,700 for acquisition of park-site parcels 16 and 17 in Urban Renewal Project No. 1 (C.D.B.) (committed since 1966, but never funded by City until now)

$ 12,000 for sodding, etc., for above

**Budget Recommendations Submitted March 26, 1973, and Included:**

(A **$2.01** per $1,000 of assessed valuation, property tax **decrease** for a rate of $10.70—a follow-up to decrease of 9 cents for previous year—or a total **4 year decrease of $2.80)**

$ 960,000 for "relief" sewers and "sewer separations" in the south and southwest part of the City—flooding relief for 4,000 homes and 12,000 individuals.

$ 600,000 for Weigman Interceptor and storm and relief sewers—Jolly Road north

$ 60,000 for the Hector Drain sewer to provide separate sewers to Washington Avenue, Holmes Road area

$ 60,000 to replace out-dated snow removal equipment

$ 125,000 for **four** school pedestrian overpasses

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$ 43,000 for the Gier Park Comprehensive Center Development

$ 35,000 for Crego Park land acquisition

$ 15,000 to develop Clarence "Biggie" Munn Park

$ 40,000 for resurfacing of tennis courts

$ 51,300 for park building remodeling

$ 30,560 for expanded Senior Citizens' programs

$ 45,000 for a Mobile Command Post

$ 105,000 for two new fire engines and one ambulance

$ 90,000 for a 100 foot Aerial Ladder Truck

$ 25,000 for a modern Squart apparatus

$ 15,000 for a light plant truck

$ 110,000 for addition to Fire Department Training Academy and attached to the Training Tower completed in 1970

$ 37,000 for the establishment of an Office of Senior Citizens' Affairs —second of its kind in the Nation and so successful it has been expanded into the Tri-County Consortium on Aging

$ 26,462 31 curb-cuts in the Central Business District to aid handicappers and ordered before Detroit, Battle Creek, Saginaw, Pontiac, etc.

$ 500,000 for new Police Department Building

**Budget Recommendation Submitted March 25, 1974, and Included:**

(Third property tax decrease in 3 years —10 cents—for a tax rate of $10.60, or a total of $2.90 in 5 years.)

$ 500,000 for Police Department Building, making a 2 year total of $1,000,000—**Council then spent eleswhere,** i.e., buying a beer warehouse, etc.

$ 170,000 for 10 additional policemen

$ 150,000 for pedestrian overpasses

$ 140,000 for storm and sanitary sewers in south end of City

$ 100,000 for Kingsley Open Space and Center

$ 21,645 for permanent bleachers and improvements at Gier Park

$ 20,000 for other ballfield bleachers

$ 20,000 for new golf starter-house at Sycamore Park

$ 20,000 for Potter Park road

$ 400,000 for a major fire station on Marshall Street at East Grand River

$ 20,000 for new ambulance

$ 12,500 for a new Fire Department Light Plant for north one-half of City

$ 95,000 for a new ladder truck

$ 46,000 for a pumping engine

**Budget Recommendations Submitted March 24, 1974, and Included:**

(Tax decrease of 73 cents for a rate of $11.33)

$ 500,000 for school related programs including crossing guards

$ 232,203 subsidy for Capital Area Transit Authority

$ 134,050 subsidy of Civic Center

$ 150,000 for City's share of storm sewers

$ 87,000 for new Traffic Department Sign Shop

$ 60,620 for Potter Park improvements

$ 520,000 for sanitary sewers

$ 57,212 for Gier Park

$ 55,826 for Tri-County Consortium on Aging

$ 65,000 for South Washington Park—artificial ice skating rink—tennis complex

Called for City-wide solid waste pick-up.

Called for room tax to assist the Lansing Convention Bureau—has since been approved by the Ingham County Board of Commissioners.

Called on City Council to require all City employees to reside in City—Council has not accepted the challenge, so the City loses hundreds of thousands of dollars annually.

Left $380,000 appropriated in past year intact for a new swimming pool in the southeast section of the City and called again for construction of same—City Council approved my original recommendation **BUT THEN OPPOSED CONSTRUCTION.**

**Budget Recommendations Submitted March 20, 1976, and Included:**

(Property tax increase of $1.90 for a rate of $13.23)

Pointed out the expenditures by City Council of $1,000,000 recommended by Mayor in 1973-74 and 74-75 Budget Recommendations for new Police Department Building, and as follows:

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The rapid depletion by the Council of the Police Building-Capital Improvement Building Fund, $500,000 which was provided in my Annual Recommended Budget in Fiscal Year 1973-74, and $500,000 in Fiscal Year 1974-75, for a total of $1,000,000. Funds were transferred out as follows:

| | |
|---|---|
| By Council resolution on February 24, 1975, for the acquisition of property at 313 N. Larch St. known as the Superior Beverage property for use as a City warehouse | $ 84,500 |
| By Council resolution on March 24, 1975, for renovation costs with respect to the Superior Beverage property | $ 15,000 |
| By Council resolution on April 28, 1975, toward acquisition of the Grant's Building—down payment and first year's land contract payment | $236,800 |
| By Council resolution of April 21, 1975, for surveying and title insurance costs relative to the acquisition of the Grant's Building | $ 1,200 |
| By Council resolution April 28, 1975, for renovation of the Grant's Building | $200,000 |
| By Council resolution August 25, 1975, for matching grant funds for the Tennis-Ice Complex | $ 68,000 |
| By Council resolution November 17, 1975, for Grant's renovation | $ 50,000 |
| By Council resolution December 29, 1975, for Mill Street property | $ 75,000 |
| TOTAL | $730,600 |
| Balance of the Capital Improvement Building Fund account No. 101-936-020-975 as of March 15, 1976 | $269,400 |

**In addition to the payments noted above for the W. T. Grant Building,** the Council agreed to pay 8% on the land contract payments, which totals **must be budgeted** in the City's future Capital Improvements Program, **including that for Fiscal Year 1976-77** in the amount of $126,000. For the 3 years then to follow, **payments must be budgeted** in the amounts of $117,800 for Fiscal Year 1977-78, $110,200 for 1978-79 and $102,600 for 1979-80.

$ 40,318 for Tri-County Consortium on Aging

$ 213,151 For Civic Center **subsidy**

$ 102,317 for newly started **Investigation Coordination Unit** of Police Department

$ 72,178 for newly started **Crime Prevention Unit**

$ 69,259 for **Helicopter** program

$ 52,258 for Artificial Ice Rink

$ 7,000 for snow plowing of alleys

$ 250,000 added to previously recommended $250,000 for City's share of a new Kalamazoo Bridge

$ 27,000 for ambulance

$ 83,000 for new pumping engine

$ 45,000 for Emergency Power Generator

$ 23,000 to complete basic improvements at Potter Park

$ 45,000 for Automated Criminal Identification

$ 40,000 for radio separation equipment

**Budget Recommendations Submitted March 28, 1977, and Included:**

(Property tax **decrease of $1.74** for a rate of $11.49)

$ 95,000 to insall lighting for the 3 ball fields and fencing at Gier Park

$ 75,000 to light 2 fields, and for fencing at Davis Field

$ 30,000 for lights, and other improvements, at Westside Field

$ 73,000 from the Ranney Trust Fund for a new Scorer-Press Box, public address system, First Aid Station, drinking fountains, restrooms, outfield sod, benches and dug-outs at Ranney Field

$ 77,620 for paving at Potter Park

$ 30,000 matching funds for the Lion House improvements, and those for the pheasant display, Bear Pit, duck pond, etc.

$ 125,000 for sewer outlets in Aurelius Road, between Mt. Hope and Jolly Road

$ 100,000 to help alleviate flooding in the area from Miller Road and Aurelius, east of Pennsylvania Avenue, and those at Frandor (an annual commitment for 10 years)

$ 28,000 for a new ambulance

$ 50,000 for a new Traffic Line Paint Machine

$ 106,000 to replace one helicopter and search light

$ 5,000 for a Helicopter Hangar/Pistol Range Study

$1,200,000 for replacement of the Kalamazoo Bridge

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$ 149,700 Community Development Block Grant Funds for 14,630 lineal feet of sidewalk replacement on the eastside, and 10,000 lineal feet on the westside

$ 76,000 for other sidewalk replacement

$ 745,000 (total pre and present recommendation) for Local Street improvements

$ 94,000 for new "rubber mats" for railroad crossings

**Budget Recommendations Submitted March 27, 1978, and Included:**

(Property tax decrease of $1.32—fund balance of $5 million—to a rate of $10.70)

$ 314,000 for two new fire trucks

$ 38,065 for improvements for the Senior Citizens' Facility at Miller Road and as match with anticipated Federal/State funds

$ 270,000 for repair and replacement of sidewalks and curb and gutter

$ 115,000 for aerial photography of City, expansions and changes to replace out-dated topography maps

$ 180,402 for drain projects.

$ 60,000 for additional "rubber mats" at railroad crossings

$ 152,000 for resurfacing the North Grand River Bridge

$ 120,000 for resurfacing and repairs to the East Mt. Hope Bridge

$ 899,400 for replacement of Public Service vehicles essential for snow removal, road maintenance and other general public services

$ 304,790 for replacement of vehicles for the Department of Parks and Recreation

$ 42,000 for another new ambulance

$ 302,771 for repairs and improvements to Park and Recreation facilities

$ 185,000 for City Hall basement repairs and other repairs

$ 228,608 for Senior Citizens, including $44,826 for Homebound Meals, $39,488 for Tri-County Consortium on Aging, $7,014 in matching funds for Retired Senior Volunteer Program, $37,415 for Seniors at the Civic Center, Miller Road Center and Kingsley, and $38,065 for construction of the Senior Center at Miller Road

**Budget Recommendations Submitted March 26, 1979, and Included:**

(No change in tax rate)

$ 112,440 for Senior Citizens

$ 207,000 for acquisition of one-man packers for refuse collection

$ 77,000 for "rubber mats" at railroad crossings

$ 400,000 for street resurfacing

$ 530,000 for curb and gutter repair, plus handicapper curb-cuts

$ 117,500 for blacktop construction on local streets

$ 45,000 for repair of pedestrian overpasses

$ 250,000 for construction of the 200 and 300 blocks of South Washington Mall

$ 582,000 for site acquisition for a Downtown Transportation Terminal

$ 91,832 for the Brenke Salmon Fish Ladder site

$ 172,000 for 5 Day Care programs

$ 80,000 for Ingham County Health programs

$ 325,000 **subsidy** for solid waste collection

$2,500,000 as City's contribution to the Policemen's and Firemen's Retirement System

$1,200,000 for City employees Social Security contribution

$2,000,000 for City employees health program

$1,500,000 as City's contribution to the General Employees Retirement System

$ 250,000 for City employees dental program

**Budget Recommendations Submitted March 24, 1980, and Included:**

(Property tax **increase of $1.37**, for a rate of $12.07)

$ 600,000 for First Phase to remedy old Aurelius Road Landfill

$ 297,000 for Capitol Commons

$ 882,000 for Edgewood Boulevard—First Phase

$ 60,000 for pedestrian overpass at North School (deleted by City Council)

$ 125,000 for City warehouse

$ 50,000 for blacktop construction

$ 100,000 for alley surfacing

$ 144,090 for County drain projects

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$ 35,000 North Washington Mall

$ 56,000 for Civic Center Seniors

$ 39,488 for Tri-County Consortium on Aging

$ 10,000 for Senior Citizens Homebound Meals plus $24,000 carry-over

$ 93,000 for Senior Citizens programs operated by the Department of Parks and Recreation

$ 5,000 for the Retired Senior Volunteer program, plus $2,000 carry-over

**Budget Recommendations Submitted March 23, 1981, and Included:**

(Property tax **decrease of $1.15,** to $10.92, or a **net decrease of $2.58 from the base year of 1970.)**

$ 500,000 General Fund for street resurfacing and maintenance

$ 715,000 Act 51 funds for street maintenance

$ 200,000 Curb and gutter repair

$ 600,000 Old Aurelius Road Landfill environmental improvements

$ 125,000 County Drain Projects

$ 150,000 Diamond-Reo Site Improvements

$ 375,000 Lansing General Hospital ingress and egress project

$9,700,000 Fringe benefits for all

* During times of labor strife, wives of employees send Letters to the Editor to advise of the need for more benefits from the City. Please note that in the 1970 Budget Recommendations I included $2,036,000 for fringe benefits (not salary and wages) for all employees. Please note in the most recent recommendations that fringe benefits will cost $9,700,000 for 1981 82 alone. **This is only $1.5 million dollars** less than all property tax collections for the year. Not only are the municipal employees receiving excellent fringe benefits, but salaries and wages are not skimpy—some are ahead of most other cities in the Nation.

From the aforementioned small representation of some of the Budget Recommendations I made over the past 12 years, some other significant things do stand out. For example, the record shows that the City upgraded substantially the number of fire-fighters, inspectors in the Division of Fire Marshal, training of both, and instituted a program of Paramedics and Emergency Medical Technicians, as well as special training. New ambulances and equipment have been consistently upgraded. The best of fire-fighting equipment has also been purchased, the most expensive piece of apparatus costing $251,766. The Fire Chief summarized it best when he stated that the Department hsa been provided more good apparatus in the past 12 years than was provided over a 25 year period previously. I am truly proud of that achievement.

During my tenure as Mayor, I submitted new programs for the Lansing Police Department, i.e., participation in the Tri-County Narcotics Squad to fight drug distribution; a Crime Prevention Unit; a Surveillance Squad of unmarked vehicles assigned to fight crime in high crime areas, between sundown and sunup; a helicopter program for night surveillance; sting operations; and the upgrading of police personnel in training and numbers. No city in the United States matched our crime decreases from 1970 through 1979.

Parks have been upgraded and new ones opened. The $250,000 Riverfront Park, which has since received additional upgrading, was destined to become a reality in late January of 1971, as was the then bogged down Urban Renewal Project No. 2—it was in that year that the U.S. Department of Housing and Urban Development assured $9.9 million to the City of Lansing. This happened at a meeting in Washington, D. C., attended by myself, the then Congressman Charles E. Chamberlain, the then Lansing Urban Renewal Director Richard L. Zimmerman, the then Board Chairman of Lansing Community College Albert C. Boyd, the present President of L.C.C. Philip J. Gannon, and Undersecretary of HUD Richard C. VanDusen and Deputy Secretary Norman Watson. Today, that Riverfront Park is a haven for hundreds of people who just desire to get away from the "hustle and bustle" of life.

Those funds also enabled us to develop most of the 69 acre track of land divided into two areas separated by the Grand River: Area West is bounded by Saginaw Street on the north, Shiawassee Street on the south, and Washington Avenue on the west; Area East is bounded by Saginaw Street on the north, Ottawa Street "extetnded" on the south and Cedar Street on the east. Too, the fund permitted the Lansing Community College to then acquire lands from the City between Saginaw, Shiawassee, Washington and Grand Avenues to carry out the originally planned campus for 17,000 students.

This was to be followed in 1975 by contracts for viewing and fishing decks, amphitheaters, biking paths and, thereafter, lay the river walk.

More than one million dollars of the funds were used for general improvements, including badly needed storm and sanitary sewers, street resurfacing and new sidewalks in the area.

The achievements were more than minor tasks.

Too, it has been rewarding, personally, to see the completion of the Artificial Ice Rink and tennis courts in South Washington Avenue Park; the completion of other tennis courts in the City, improved ball fields for our 351 softball teams.

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To give Senior Citizens dignity, comfort and companionship, we have opened hundreds of decent housing units, available to some Seniors for as little as $54.00 per month. Those in financial straights no longer need to suffer. Today, the Senior Citizens have excellent recreational centers. I am especially pleased that you accepted my recommendation in the early 1970's for establishing and funding a City Department of Senior Citizens Affairs, the third department of its kind in the Nation. That Department was extremely successful in getting Seniors involved. It was the forerunner of the Tri-County Consortium on Aging, and City staff became their staff, continuing those successes on a larger scale.

When no State law required curb-cuts for handicappers, you accepted my recommendations to proceed. Others then followed.

Upon taking office, I found the Lansing Bus Company to be one of our most difficult problems—buses were old, the company was near bankruptcy and employees demoralized. You and other area legislative bodies accepted my committee's recommendation to form the Capitol Area Transit Authority. Despite high costs of fuel and equipment CATA is still viable and serving large numbers of passengers.

Not newsworthy, but a necessity, was the recommendation I forwarded to you and you accepted, to purchase in a single year $1,204,190 in new Public Service Department and Department of Parks and Recreation trucks and snow removal equipment. The work at hand gets completed and in a lesser time.

Not newsworthy, and not visible, was the $1,250,000 expended to correct the basement flooding conditions for 6,000 homes in South Lansing. Those recommendations I made to you in 1971 and 1973, and approved, have greatly eased the grief and pain of thousands of persons where basements now remain dry and safe.

I am pleased to have been a part of numerous community improvements for Lansing such as: the progress in our Community Development Areas 1, 2, 3, and 4, which already have, or are in the process of, remodeling hundreds of homes at extremely low interest rates, having new curbs, gutters, sidewalks, and street lights installed; the completion of 4 badly needed new bridges in the Central Business District and on South Logan Street; the installation of "rubber mats" for improved driving over railroad crossings in all parts of the City; our tax cooperation to assure the continuity of Capitol City Airport, even though it is not located within our City corporate limits; the unusual service of street sweeping, which is done every two weeks, weather permitting; the fact that unlike other cities, Lansing not only snowplows streets, but alleys and sidewallks as well; the continuation of the solid waste pick-up program, even with a large City subsidy, because it adds to cleanliness in the community; and the progress of converting the Capital Park Motel, at a cost pers; the progress of the $25 million Capiof $4 million, for Seniors and handicaptol Commons Project, adjacent to the Central Business District; and many other improvements in our City.

In my State of the City Message of January 2, 1973, I advised that a segment of the State Property Tax Law penalized home-owners, businesses and industries in Michigan for improvements and expansions. I called for "a graduated tax incentive," over a 5 year period in Michigan. That led to numerous meetings in my office with other mayors, city managers, state officials. Today, tax abatements are provided by State law for all three categories, over a 5 to 12 year period, and for low bond interest rate for businesses and industries. In relation to these legislative accomplishments, I requested you establish a Downtown Development Authority and an Economic Development Corporation, and presented you with the resolution to achieve these goals. You approved these.

Today, the Lansing Economic Development Corporation is successful. It is retaining businesses and industries and they are expanding and offering new positions of employment. The following recaps the new, or expanded construction: Capitol Avenue Building ($1,100,000); Eyde Office Building ($2,700,000); Federal Forge/Walco National ($4,500,000); Greater Lansing Board of Realtors ($400,000); Knights Inn ($1,250,000); Lansing Ice & Fuel ($385,000); LWC/Ralls Renovation ($165,000); Parkside Office Building ($740,000); Provincial House Central Laundry ($700,000); Reid & Reid No. 1 ($1,900,000); Riverfront Mall ($730,000); and Upjohn/Kalamazoo Artcraft ($800,000). An additional $85 million in proposals are being studied.

Too, we have seen $130 million in expansion at Oldsmobile and Fisher Body, and $250 million more to get underway. I am proud, too, of my efforts through the Federal Economic Development Administrtion to retain Motor Wheel Corporation and the 1,600 jobs involved.

The long difficult procedures, challenges and problems I encountered to secure the Diamond-Reo Properties and Federal funds for demolition—after Diamond-Reo Trucks, Inc., went bankrupt—were gigantic. Today, the land has no historic designation, fortunately; it is cleared and the development plans for the first new industry ($3,000,000/150 employees) was forwarded to you one day ago. Once again machinery will hum and positions of employment will stabilize, but this time in new, modern facilities. This, too, has been no small task.

City Council gave me pleasure by accepting my recommendation to improve the 100, 200, 300 and 400 blocks of South Washington Avenue. This past week, I signed an $89,525 contract to complete the landscaping in the last of the 4 blocks and sidestreets. This landscaping contract will finalize a four-year program of planning

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and improving, funding for which included $100,000 in planning money from the Downtown Development Authority, $1,755,000 in local tax dollars, and $70,000 in Federal Funds.

One of the great personal rewards I have received as Mayor goes back to 1970. That was the year I established task forces and requested the citizenry of the City to respond to the river clean up. "Give The Grand A Hand" it was called—2,800 people responded over a 2 weekend period and 139 truck loads of debris were removed. A conscience was awakened.

Throughout it all, there have been the organized critics—"criticism for criticism's sake" seems to be the motto. I have accepted those, but with understanding and with the knowledge that critics are relatively cheap to come by. The real problem-solvers, the "doers," are really the ones of value. I quote from something I cherish . . . a gift from my son, when he was a cadet at the United States Military Academy, West Point, New York, which reads:

> It is not the critic who counts; not the man who points out how the strong man stumbles, or where the doer of deeds could have done them better. The credit belongs to the man who is actually in the arena, whose face is marred by dust and sweat and blood; who strives valiantly; who errs, and comes short again and again, because there is no effort without error and shortcoming; but who does actually strive to do the deeds; who knows the great enthusiasms, the great devotions; who spends himself in a worthy cause; who at the best knows in the end the triumph of high achievement, and who at the worst, if he fails, at least fails while daring greatly, so that his place shall never be with those cold and timid souls who know neither victory nor defeat.

In closing, my thanks must go first to my family who have excused me from being an active member of my household, my close friends for understanding my lack of time for social activities and defending my positions on issues, and to the citizens of Lansing who have proved that it is better to be like the tortoise who is methodical but steadfast in its goal. The senior citizens have pitched in to help make Lansing a model for seniors nationally, the youth have turned out to clean riverbanks and keep the city full of life, and the average individual has pprovided expertise beyond belief for the many citizen boards and commissions which comprise this city government.

I feel I have accomplished much during these last 12 years as Mayor of Lansing. I have never once compromised my principles, have always had a clear conscience as to the validity of my decisions, and the taxpayers and future of Lansing have been paramount in reaching a solution to each and every problem.

I have approximately 9 months to serve in my present term which ends at noon on January 1, 1982. During that time I intend to responsibly fulfill my obligations as Mayor of the City of Lansing and to make all decisions based on the best interests of this citizenry.

Sincerely,

GERALD W. GRAVES,
Mayor.

Received and placed on file.

DATE: 4/7/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Submission of attached correspondence from the Finance Director Re: Petition submitted by Orrin Sharp—City Council Meeting of April 6, 1981

The attached correspondence is submitted for your information.

GERALD W. GRAVES,
Mayor.

Referred to Committee of the Whole, Committee on Ways and Means.

April 6, 1981

Council President Lucile Belen and
Members of the Lansing City Council

10th Floor, City Hall

Lansing, Michigan 48933

Dear Council President Belen
and Members:

This is to advise that I have appointed Edward J. Whitepigeon to serve as a member of the Mayor's Police Community Relations Advisory Board.

As Mr. Whitepigeon serves as an Employment and Training Analyst/Program Executive for the Michigan Commission on Indian Affairs for the State of Michigan, I am sure he will add a great deal to the Board.

Mr. Whitepigeon resides in the City of Lansing at 4116 Heathgate.

This communication is forwarded for informational purposes.

Sincerely,

GERALD W. GRAVES,
Mayor.

Received and placed on file.

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DATE: 4/9/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Public Service Director Re: Valid Petition—construction of curb and gutter and the necessary drainage on Seventh Avenue from Randall Street to Vance Street

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Physical Development.

DATE: 4/9/81

TO: City Council President and Members

GROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the City Controller

Re: Financial Security, Sunset Hills No. 10

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

By COUNCILMAN McKANE—

That we concur in the recommendation of the Mayor and said Financial Security be approved.

Carried.

DATE: 4/9/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the City Controller Re: Financial Security, Trapper's Cove No. 2

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

By COUNCILMAN McKANE—

Thta we concur in the recommendation of the Mayor and said Financial Security be approved.

Carried.

DATE: 4/9/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attacher correspondence from the Planning Director Re: SUP-3-81—1900 Block of Hoyt—in Flood Plain

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Physical Development.

DATE: 4/9/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Planning Director Re: Z-3-81—Cedar/Center/Saginaw Sts.

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Physical De velopment.

DATE: 4/9/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Mayor's Economic Development Advisory Group Re: EDC request for certification of project area, designation of project district area, and determination of necessity of establishing project citizens district council for "Frank's Nursery" project

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Economic Development.

DATE: 4/9/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Traffic Engineer

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Re: Citizens request for installation of yield signs at intersection of Chatham Road and Victor Avenue

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Public Property and Safety.

## RESOLUTIONS

By COUNCILMAN WORTHINGTON, COMMITTEE ON PHYSICAL DEVELOPMENT—

Resolved by the City Council of the City of Lansing:

ACT-6-81
Mosher Street Vacation

Whereas, the City of Lansing owns the street Right-of-Way known as Mosher Street which extends 85 feet west of Hill Street and is situated between Lots 1 and 2 of Bements Subdivision;

Whereas, Young Brothers and Daly, Inc., have paid taxes on the parcel since 1967;

Whereas, the City Council Committee on Physical Development has reviewed the recommendation of the Planning Board to vacate this section of Mosher Street and concur therein;

Now, Therefore, Be It Resolved, that the City Council vacates the Mosher Street property, extending west from Hill Street and situated between Lots 1 and 2 of A. O. Bement Subdivision, to Young Brothers and Daly, Inc.

And Further, the City Clerk and Mayor are authorized to execute the vacation and transfer of the property to Young Brothers and Daly, Inc., and to record the action with the appropriate state agencies.

Adopted by the following vote:

Unanimously.

By COUNCILMAN WORTHINGTON—

Resolved by the City Council of the City of Lansing:

ACT-17-80

Marywood and South Washington Avenue
Determine Use of Excess Land

Whereas, the City Council adopted a resolution on September 15, 1980, to purchase three (3) vacant parcels; two with access to Marywood, and one with access to Washington Avenue, from Ingham County, known as:

Parcels 3305-08-226 261, 3305-08-227-051, and 3305-08-227-241 and more particularly described as:

3305-08-226-261: The north 37.2 feet of Lot 63 and the south 12.8 feet of Lot 62, Marywood Subdivision, City of Lansing, Ingham County, Michigan.

3305-08-227-051: Lot 36, Marywood Subdivision, City of Lansing, Ingham County, Michigan.

3305-08-227 241: Lot 11, Marywood Subdivision, City of Lansing, Ingham County, Michigan; and

Whereas, these deeds have been transferred to the City of Lansing; and

Whereas, the City of Lansing wishes to dispose of these parcels in the following manner:

1) Sell parcel 3305-08-226-261 to Roy C. Markey for nominal consideration to be included in the plat of Midfield with the understanding that it will be used for street right-of-way, developed and then deeded back to the City in the plat process.

2) Sell the other two (2) parcels (3305-08-227-241 and 3305-08-227-051) on the open market at appraised values as determined by the Assessor's Office for single family residential construction; and

Whereas, the Planning Board has recommended these dispositions at their meeting of March 17, 1981; and

Whereas, the Physical Development Committee of Council has concurred with said recommendation at their meeting of April 3, 1981;

Now, Therefore, Be It Resolved, that the City Council authorize the sale of the three (3) properties on Marywood and South Washington Avenue (3305-08-226-261, 3305-08-227-051 and 3305-08-227-241) in accordance with the provisions outlined above.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON ECONOMIC DEVELOPMENT—

RESOLUTION APPROVING PROJECT AREA, ESTABLISHING PROJECT DISTRICT AREA AND CONFIRMING APPOINTMENT OF ADDITIONAL DIRECTORS TO THE BOARD OF DIRECTORS OF THE ISSUER

(Logan Center Project)

Minutes of a Regular Meeting of the City Council of the City of Lansing, Michigan, held at 7:00 o'clock p.m., Michigan Time, on April 13, 1981, at which the following members were present: Councilmen

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Adado, Belen, Blair, Brenke, Gunther, Lindemann, McKane and Worthington;

and the following were absent: None.

The following preamble and resolution were offered by Councilman Adado and supported by Councilman McKane:

Whereas, the Economic Development Corporations Act, Act No. 338 of the Michigan Public Acts of 1974, as amended (the "Act"), recognizes that there exists in the State of Michigan the need for programs to alleviate and prevent conditions of unemployment, to assist and retain local industries and commercial enterprises, to encourage and assist the location and expansion of such enterprises to provide needed services and facilities to the City of Lansing and its residents to promote the forestry and agricultural sectors of the State's economy, and to encourage the development of facilities designed to produce energy from renewable sources; and

Whereas, the Act provides a means by which these needs may be addressed; and

Whereas, Robert E. Fryling, Inc., as nominee for a general or limited Michigan partnership to be former (the "Company") has proposed a project (the "Project") to The Economic Development Corporation and the City of Lansing (the "Issuer") which would assist in the alleviation of the aforementioned conditions; and

Whereas, the Issuer, in conformity with the Act, has designated a Project Area and Project District Area for its Project to this City Council for its approval thereof.

Now, Therefore, Be It Resolved by this City Council of the City of Lansing, as follows:

1. The following Project Area, as designated by the Issuer, is hereby certified as approved:

See Exhibit "A."

2. The territory surrounding said designated Project Area will not be significantly affected by the Project and, therefore, a Project District Area having the same description as the Project Area herein certified as approved is hereby established.

3. Pursuant to Section 20 (e) of the Act, and due to the fact that the Project primarily involves the renovation of an existing shopping center, a Project Citizens District Council is not required for the Project and therefore, such a Council shall not be formed.

4. This Council hereby advises and consents to the appointment by the chief executive officer of the City of Lansing of _____ and _____ as additional directors to the Board of Directors of the Issuer, pursuant to Section 4 (2) of the Act, said persons being representative of neighborhood residents and business interests likely to be affected by the Project.

5. The City Clerk is hereby directed to provide three (3) certified copies of this resolution to the Secretary of the Issuer.

Adopted by the following vote:

Unanimously.

STATE OF MICHIGAN }
COUNTY OF MICHIGAN } ss.

I hereby certify that the foregoing is a true and complete copy of a resolution adopted at a regular meeting of the City Council of the City of Lansing, County of Ingham, Michigan, held on the 13th day of April, 1981, and that the said minutes are on file in the office of the City Clerk and are available to the public. Public notice of said meeting was given pursuant to and in compliance with Act No. 267, Public Acts of Michigan, 1976.

THEO FULTON,
City Clerk.

By ECONOMIC DEVELOPMENT COMMITTEE—

Resolved by the City Council of the City of Lansing:

Whereas, the City Council on January 16, 1978, approved the economic adjustment program for the City of Lansing prepared by Zucchelli, Hunter, and Associates, which stated as a primary strategy the retention and expansion of existing industry and identified as an objective recycling of the Diamond-Reo property; and

Whereas, this Council in its January 16, 1978, resolution directed submission of an application for Economic Development Administration funding for projects including a land assembly program to enable local manufacturers to expand their operations; and

Whereas, in accordance with the City Council's direction, the administration did on February 16, 1979, submit an application for Economic Development Administration Title IX funding for an economic implementation program including assembly and clearance of the Diamond Reo properties and marketing them for industrial reuse, which application was approved on May 24, 1979; and

Whereas, the administration has actively undertaken a marketing program for the Diamond Reo property which has resulted in the formulation of a "Memorandum of Understanding between the City of Lansing and Demmer Corporation for Purchase and Development of the Diamond Reo properties" which provides the Demmer Corporation, a locally based manufacturing company, with three (3) months in which to prepare and submit a detailed development plan for the site; and

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Whereas, under the terms of the proposed Memorandum of Understanding, which have been reviewed by the City Council, the Demmer Corporation shall purchase the Diamond Reo property within thirty (30) days of approval by this Council of the development plan for the site; and

Whereas, this Council finds the industrial development proposed under the terms of this Memorandum of Understanding to be consistent with the City of Lansing's adopted economic adjustment program;

Now, Therefore, Be It Resolved, that the Council of the City of Lansing does hereby approve and ratify the "Memorandum of Understanding between the City of Lansing and Demmer Corporation for Purchase and Development of the Diamond Reo Properties."

Adopted by the following vote:

Unanimously.

By COUNCILMAN WORTHINGTON—

Resolved by the City Council of the City of Lansing:

P-1-81

Capitol Commons Neighborhood Urban Renewal Plat

Final Preliminary Plat Approval

Whereas, pursuant to the Lansing Subdivision Regulations, being Chapter 37 of the Code of the City of Lansing, the Fred White Engineering Company, Incorporated, has submitted on behalf of the City of Lansing, the Capitol Commons Neighborhood Urban Renewal Plat for final preliminary approval; and

Whereas, the Planning Department has reviewed said urban renewal plat and found it to be in substantial conformance with the tentative preliminary plat; and

Whereas, the Physical Development Com mittee of the Council, to whom the report of the Planning Department was referred, concurs therewith;

Now, Therefore, Be It Resolved that the Council of the City of Lansing hereby ordains that the final preliminary plat of the Capitol Commons Urban Renewal Plat be approved subject to the conditions of tentative preliminary approval; and

Be It Further Resolved, that the City Clerk be, and she is hereby, directed to notify the proprietor(s) of this plat and the engineer(s) of this action.

Adopted by the following vote:

Unanimously.

By PHYSICAL DEVELOPMENT COMMITTEE—

Resolved by the City Council of the City of Lansing:

Whereas, pursuant to Ordinance No. 373, the Director of the Planning Department has designated James Arthur Ruff as a person responsible for affixing violation notices on motor vehicles, trailers or watercraft parked or placed in violation of said Ordinance; and

Whereas, the City Council has found such person of suitable capacity;

Now, Therefore, Be It Resolved, that James Arthur Ruff is hereby authorized to affix violation notices on motor vehicles, trailers or watercraft parked in violation of Ordinance No. 373.

Adopted by the following vote:

Unanimously.

By COMMITTEE OF THE WHOLE—

Resolved by the City Council of the City of Lansing:

Whereas, George E. Mills, on behalf of Mid-Michigan Ball Land, Inc. (soon to be a Michigan corporation), has expressed a sincere interest in entering into a long term lease agreement with the City of Lansing for a nominal payment, and

Whereas, the lease agreement would be for the City's closed sanitary landfill site on Aurelius Road and adjacent park land immediately east to Pine Tree Road for the development of a recreation and sports complex to serve the Lansing area, and

Whereas, Mr. Mills presented the develop- site plan to the Committee of the Whole on Thursday, April 9, 1981, and expressed the Corporation's willingness to cooperate with the Michigan Department of Natural Resources and other governmental agencies regarding the environmental concerns surrounding the landfill itself, and

Whereas, the committee is aware of the developer's desire to have the complex ready for use in May of 1982, now

Therefore, Be It Resolved, the City Council of the City of Lansing hereby expresses its intent to enter into a leasehold agreement with Mid-Michigan Ball Land, Inc., for the Aurelius Road property and adjacent park land to facilitate the development of a recreational complex; and

Be It Further Resolved, the Council will review the details of the lease document in its final form, prior to granting its official approval.

That the resolution be amended as follows:

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By COUNCILMAN ADADO—

In paragraph two after the words "Aurelius Road" delete the following "and adjacent park land immediately east to Pine Tree Road" and in paragraph five after the words "Aurelius Road property" delete "and adjacent park land".

Carried.

By COUNCILMAN WORTHINGTON—

In paragraph five after the word "intent" insert "subject to negotiations of a final lease."

Carried.

By COUNCILMEN BLAIR AND McKANE—

In paragraph six after the word "Council" insert "subject to advice and review by the Park Board and Public Service Board".

Carried.

The resolution as amended was adopted by the following vote:

Yeas: Councilmen Adado, Belen, Blair, Brenke, Gunther, McKane, Worthington—7.

Nays: Councilman Lindemann—1.

## PUBLIC IMPROVEMENT V

By COMMITTEE ON PUBLIC SERVICE AND HIGHWAYS—

Resolved by the City Council of the City of Lansing:

That the supplementary special assessment roll for constructing sanitary sewers as follows:

Assessment Roll No. 277

Delta Street—From N. Grand River Ave. (South) to Lot 5 of Delta Grande Subd.

as returned by the City Assessor be and the same is hereby ratified and confirmed, and that the Mayor be and hereby is directed to affix within ten days, his warrant directing the City Treasurer to refund to all persons who have paid said tax as originally assessed the pro rata amount of difference as shown in said supplementary roll, and collect all unpaid tax as shown on said roll on or before July 13, 1981.

Adopted by the following vote:

Unanimously.

By WAYS AND MEANS COMMITTEE—

Resolved by the City Council of the City of Lansing:

That the following transfers be approved:

**Act 51—Local Street Fund—Winter Maintenance**

$35,000.00 from Wages
A/C 203-478-000-706

16,726.00 from Fringe Benefits
A/C 203-478-000-715

15,000.00 from Equipment Rental
A/C 203-478-000-943

**Street Cleaning**

$20,000.00 from Wages
A/C 203-466-000-706

9,558.00 from Fringe Benefits
A/C 203-466-000-715

10,000.00 from Equipment Rental
A/C 203-466-000-943

**Surface Maintenance**

$55,000.00 to Wages
A/C 203-464-000-706

26,284.00 to Fringe Benefits
A/C 203-464-000-715

25,000.00 to Equipment Rental
A/C 203-464-000-943

I hereby certify that this is a properly drawn and eligible transfer.

JAMES W. DOWSETT,
Finance Director.

Approved:

TERRY J. McKANE,
WILLIAM A. BRENKE,
JACK D. GUNTHER,
Ways and Means Committee.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON WAYS AND MEANS—

Resolved by the City Council of the City of Lansing:

Whereas, Section 27-35 of the Lansing Code of Ordinances provides that the rates and charges for services furnished by the City's Sewage Disposal System shall be determined through an equitable method by the Director of Public Service and approved by the City Ciuncil; and

Whereas, the schedule of sewerage rates per month has not been changed since January 1, 1976; and

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Whereas, an increase in rates is necessary to meet federal requirements for waste water treatment and sewer separation efforts and to cover the cost of existing operations and maintenance of the wastewater treatment plant; and

Whereas, the increases in sewer rates needed to offset costs and meet federal requirements would constitute an unfair and unreasonable burden on system users if contained in a single action of the City Council; and

Whereas, the current "dual commodity charge" (i.e., one rate for the first 2,000 cubic feet of water used and a second, lower rate for all water used 2,000 cubic feet in one month) is hereby recognized as inequitable, and should be changed to a single commodity charge regardless of amount used; and

Whereas, such a change, if implemented immediately, would likewise constitute an unfair and unreasonable burden on system users;

Now, Therefore, Be It Resolved, the Lansing City Council hereby adopts a two year program of rate increases for the sewage disposal system, by means of annual ordinance amendments, designed to provide needed revenues at a minimum acceptable impact on system users, while at the same time gradually reducing the rate difference of the dual commodity charge, so that by the end of the program, a single rate per 100 cubic feet will be charged, regardless of amount used.

By COUNCILMAN McKANE—

That the resolution be amended as follows:

That in the 3rd paragraph delete the wording "is hereby recognized as inequitable, and".

Adopted by the following vote:

Yeas: Councilmen Adado, Belen, Brenke, Gunther, Lindemann, McKane, Worthington—7.

Nays: Councilman Blair—1.

The resolution as amended was adopted by the following vote:

Unanimously.

By PHYSICAL DEVELOPMENT COMMITTEE—

Resolved by the City Council of the City of Lansing:

Whereas, the City of Lansing has undertaken redevelopment and housing rehabilitation projects for the revitalization of blighted areas in cooperation with the federal government for financial assistance pursuant to P.A. 344, 1945, as amended, in areas known as Neighborhood Development Areas No. 1, No. 2 and No. 3; and

Whereas, the Planning Department has recommended extension of the terms of office for members of the Citizens' District Councils for Neighborhood Development Areas No. 1, No. 2 and No. 3; and

Whereas, this recommendation is being made to eliminate the expense of holding an election in Neighborhood Development Area No. 1 which will be phased out on July 1, 1981; and

Whereas, this recommendation is being made pending an opinion from the City Attorney relative to changes in the Election Ordinances for Neighborhood Development Areas No. 2 and No. 3; and

Whereas, the extension of terms will be a ninety day period ending July 10, 1981, for elected Citizens' District Council No. 1 members, and August 3, 1981, for appointed Citizens' District Council No. 1 members; and

Whereas, the extension of terms will be a ninety day period ending July 13, 1981, for appointed Citizens' District Council No. 2 members; and

Whereas, the extension of terms will be a ninety day period ending July 15, 1981, for elected Citizens' District Council No. 2 members and August 3, 1981, for appointed Citizens' District Council No. 3 members; and

Whereas, a public hearing was held on Monday, April 6, 1981, to receive citizen comment on this recommendation;

Now, Therefore, Be It Resolved that the City Council adopts the amendments to Section 36-98.3, Section 36-104.3 and Section 36-114.3 of the Code of Ordinances, City of Lansing, Michigan, by extending the terms of office for members of Citizens' District Councils No. 1, No. 2 and No. 3.

Adopted by the following vote:

Unanimously.

## ORDINANCES

By COUNCILMAN WORTHINGTON—

The Committee reported that it had considered an ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by revising Sections 27-35 and 27-58 to increase monthly sewage and inspection rates in order to offset a portion of the increased maintenance and operation costs and further to eliminate the charges assessed pursuant to the Metropolitan Landel sewer district so that sewer rates are consistent through the City of Lansing.

Revising Sections 36-98.3, 36-104.3 and

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36-114.3 for the purpose of extending the terms of certain citizens' district council members and recommended that the ordinances be passed.

Carried.

ORDINANCE NO. 590

By COUNCILMAN WORTHINGTON—

Resolved by the City Council of the City of Lansing, that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by revising Sections 27-35 and 27-58 to increase monthly sewage and inspection rates in order to offset a portion of the increased maintenance and operation costs, and further, to eliminate the charge assessed pursuant to the Metropolitan Landel Sewer District so that sewer rates are consistent through the City of Lansing, be placed on order of immediate passage.

Carried.

By COUNCILMAN WORTHINGTON—

Resolved by the City Council of the City of Lansing, that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by revising Sections 27-35 and 27-58 to increase monthly sewage and inspection rates in order to offset a portion of the increased maintenance and operations costs, and further to eliminate the charges assessed pursuant to the Metropolitan Landel Sewer District so that sewer rates are consistent through the City of Lansing, be now passed.

Adopted by the following vote:

Yeas: Councilmen Adado, Belen, Brenke, Gunther, Lindemann, McKane, Worthington—7.

Nays: Councilman Blair—1.

ORDINANCE NO 590

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, PROVIDING THAT CHAPTER 27 OF THE CODE OF ORDINANCES, CITY OF LANSING, MICHIGAN, BE AMENDED BY REVISING SECTIONS 27-35 AND 27-58 TO INCREASE MONTHLY SEWAGE AND INSPECTION RATES IN ORDER TO OFFSET A PORTION OF THE INCREASED MAINTENANCE AND OPERATION COSTS, AND FURTHER, TO ELIMINATE THE CHARGES ASSESSED PURSUANT TO THE METROPOLITAN LANDEL SEWER DISTRICT SO THAT SEWER RATES ARE CONSISTENT THROUGH THE CITY OF LANSING.

The City of Lansing Ordains:

Section 1. That Chapter 27 of the Code of Ordinances of the City of Lansing, Michigan, be amended by the revision of Sections 27-35 and 27-58 to read as follows:

Sec. 27-35. **Amounts, billings.** The rates and charges for services furnished by such system shall be levied upon each lot or parcel of land, building or premises, having any sewer connection with such system, on the basis of the quantity of water used thereon or therein as the same is measured by meters therein used, or in the absence thereof, by such equitable method as shall be determined by the director of public service with the approval of the city council, and shall be collected at the same time, and in the same manner as provided for the payment of charges for water used, except in cases where the character of the sewage from a manufacturing or industrial plant, building or premises is such that unreasonable additional burden is placed upon the system, greater than that imposed by the average sewage delivered to the system plant, the additional cost of treatment created thereby shall be an additional charge over the regular rates hereinafter set forth; or the city may, if it deems advisable, compel such manufacturing or industrial plant, building or premises, to treat such sewage in such manner as shall be specified by the city before discharging such sewage into the sewage disposal system. Rates for all users obtaining all or part of their water supply from sources other than the city's water system may be determined by gauging or metering the actual sewage entering the system or by metering the water used by them, in a manner acceptable to the city council. The commodity charge for resident users shall be computed on the basis of nine hundred (900) cubic feet per month per customer where gauging or metering is not practical.

The city council may classify the users of the system according to the quantity of water used and charge such rates to users in each class as it may deem reasonable.

1. The rate to be billed for use of the system shall be as follows for all users within the sanitary sewer service area of the city except as otherwise provided herein:

SCHEDULE OF SEWERAGE RATES PER MONTH

A. **Service Charge**

$0.40 per month per customer for billing and collecting services.

B. **Commodity Charge.**

$0.52 per 100 cubic feet for the first 2000 cubic feet.

$0.46 per 100 cubic feet for all over 2000 cubic feet.

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**C. Minimum Charge Per Month or Part Thereof.**

| Meter Size in Inches | Minimum Billing |
|---|---|
| 5/8 | $ 2.48 |
| 3/4 | $ 4.56 |
| 1 | $ 8.72 |
| 1¼ | $12.64 |
| 1½ | $20.00 |
| 2 | $47.60 |
| 3 | $84.60 |
| 4 | $167.20 |
| 6 | $314.40 |
| 8 | $553.60 |
| 10 | $921.60 |

**D. Industrial Cost Recovery Charge.**

$0.042 per 100 cubic feet of industrial process wastewater.

**E. Extra Strength Waste Surcharge (B.O.D.).**

$0.054 per pound in excess of 300 parts per million (PPM).

**F. Extra Strength Waste Surcharge (Suspended Solids).**

$0.093 per pound in excess of 350 parts per million (PPM).

**G. Lawn Sprinkling.**

Upon all bills to resident users during the months of September, October and November, the sewerage charge shall be subject to discount of 10% unless water used for lawn sprinkling is metered separately, and further provided that said discount shall not apply to any minimum billing.

**H. Delayed Payment Charge.**

A delayed payment charge of five percent (5%) of the total monthly bill shall be added to any bill which is not paid on or before the due date shown thereon.

2. The rate to be billed for use of the system for all Landel customers shall be the same as that used within the city.

**"Industrial Cost Recovery."** All process wastewater from industrial facilities are subject to an industrial cost recovery charge. Process wastewater includes all liquid wastes discharged into the sanitary sewers of the city from an industrial facility, less those wastewaters that originate from employees' use of sanitary appliances. The industrial cost recovery charge becomes effective on or about January 1, 1982, and is to be added in the foregoing schedule of sewerage charges and is to be computed as follows:

The annual industrial cost recovery charge is to be equal to the product of the ratio of the average annual amount of industrial process wastewater discharged to the sewer per day to a plan design capacity of 40 million gallons per day, said ratio to be multiplied by one-thirtieth of the amount of federal grant received under Federal Public Law 92-500 for construction of the wastewater treatment facility. Based on the expected federal grant of $24,693,750, the annual industrial cost recovery charge shall be $0.042 per 100 cubic feet of industrial process wastewater.

The industrial cost recovery charge shall be collected with sewer service billings, one-half of which shall be remitted to the United States Treasury, in accordance with federal law, and two-fifths of which is to be used by the city for reconstruction of wastewater facilities and one-tenth of which shall be used for other wastewater treatment purposes.

**"Surcharge for BOD and Suspended Solids."** For BOD greater than 300 parts per million, there should be a charge of 5.4 cents per pound and for suspended solids greater than 350 parts per million, there shall be a charge of 9.3 cents per pound.

There shall be an additional charge for laboratory testing of wastewater samples. The laboratory charge shall be for the cost thereof and will be determined for each user.

The surcharge for B.O.D. and suspended solids becomes effective on or about January 1, 1982, and shall be adjusted annually to meet the actual system expenses and initially shall be as follows:

| | B.O.D. | Suspended Solids |
|---|---|---|
| Operation and Maintenance Expenses | 2.4¢/lb. | 4.3¢/lb. |
| Local Debt | 1.5¢/lb. | 2.7¢/lb. |
| Industrial Cost Recovery | 1.5¢/lb. | 2.3 /lb. |
| | 5.4¢/lb. | 9.3¢/lb. |

The rates stated herein shall be effective on May 13, 1981, except as otherwise provided. A billing covering use of the system before and after the effective date of this rate change shall have such bill prorated, based upon the average use per day and the number of days within such billing period, at the rate then in effect.

The Board of Water and Light is hereby designated as the billing and collecting agent for the city for the purposes of this chapter and is reimbursed from the funds

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collected for the expense of such billing and collecting. The charges shall constitute a lien on the property served by any connection with the system, and if not paid within ninety (90) days may be collected in the same manner as general city taxes.

Suburban user or users of sewer or sewer services located outside of the corporate limits of the city who have connection with the sewerage system of the city shall pay for such service such additional rate to that charge to users within the corporate limits as the city council may determine to cover additional costs to the city of transportation of wastewater and depreciation of investments by the city in sewerage facilities.

Sec. 27-58. **Same—Payment of taxes prerequisite, deposit therefore.** A permit shall not be granted to make connections with any public sewer until all special sewer taxes then due and assessed against the property for the benefit of which such connection is to be made, shall be paid. To obtain such permission a permit fee of twenty dollars ($20.00) shall be deposited with the Public Service Department. In the event such sewer installation must cross a public street or alley or other public property, a deposit of sufficient amount, as determined by the office of public service, to cover the actual cost of repairing such street or allley or public property shall be required before such permission is granted. After making such deposit, and receiving such permission, the trench or excavation for such purposes may be made as specified in such permit.

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance shall take effect thirty (30) days from the date of its passage unless given immediate effect by the City Council.

## ORDINANCE NO. 591

By COUNCILMAN WORTHINGTON—

Resolved by the City Council of the City of Lansing, that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by revising Sections 36-98.3, 36-104.3 and 36-114.3 for the purpose of extending the terms of certain citizens' district council members be placed on order of immediate passage.

Carried.

By COUNCILMAN WORTHINGTON—

Resolved by the City Council of the City of Lansing, that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by revising Sections 36-98.3, 36-104.3 and 36-114.3 for the purpose of extending the terms of certain citizens' district council members be now passed.

Adopted by the following vote:

Unanimously.

## ORDINANCE NO. 591

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, PROVIDING THAT CHAPTER 36 OF THE CODE OF ORDINANCES OF LANSING BE REVISED BY AMENDING SECTION 36-98.3, SECTION 36-104.3 AND SECTION 36-114.3 FOR THE PURPOSE OF EXTENDING THE TERMS OF CERTAIN CITIZENS' DISTRICT COUNCIL MEMBERS.

The City of Lansing Ordains:

Section 1. That Chapter 36 of the Code of Ordinances of Lansing, Michigan, be revised by amending Section 36-98.3, Section 36-104.3 and Section 36-114.3 to read as follows:

**Sec. 36-98.3. Citizens' district council; terms of members.**

The original terms of office of the members of the citizens' district council appointed or elected pursuant to this ordinance shall be as follows:

(a) Three (3) elected and one appointed member from the development area shall serve terms of three (3) years.

(b) Two (2) elected and one appointed member from the development area shall serve terms of two (2) years.

(c) Two (2) elected and one appointed member from the district area shall serve terms of one year and ninety (90) days.

(d) One member elected from the peripheral area shall serve a term of three (3) years.

(e) One elected and one appointed member from the peripheral area shall serve terms of two (2) years.

(f) One elected and one appointed member from the peripheral area shall serve terms of one year and ninety (90) days.

All terms of office after the original terms of office set forth above shall be for three (3) years. In the event the office of a member becomes vacant before the end of the term of that office, the appointment to fill said office shall be for the remainder of that term only.

**Sec. 36-104.2. Citizens' district council;**
**Sec. 36-104.3. Citizens' district council; terms of members.**

The original terms of office of the members of the citizens' district council ap-

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pointed or elected pursuant to this ordinance shall be as follows:

(A) Three (3) elected and one appointed member from the development area shall serve terms of three (3) years.

(B) Two (2) elected and one appointed member from the development area shall serve terms of two (2) years.

(C) Two (2) elected and one appointed member from the district area shall serve terms of one year and ninety (90) days.

(D) One member elected from the peripheral area shall serve a term of three (3) years.

(E) One elected and one appointed member from the peripheral area shall serve terms of two (2) years.

(F) One elected and one appointed member from the peripheral area shall serve terms of one year and ninety (90) days.

All terms of office after the original terms of office set forth above shall be for three (3) years. In the event the office of a member becomes vacant before the end of the term of that office, the appointment to fill said office shall be for the remainder of that term only.

**Sec. 36-114.3. Citizens' district council; terms of members.**

The original terms of office of the members of the citizens' district council appointed or elected pursuant to this ordinance shall be as follows:

(A) Three (3) elected and one appointed member from the development area shall serve terms of three (3) years.

(B) Two (2) elected and one appointed member from the development area shall serve terms of two (2) years.

(C) Two (2) elected and one appointed member from the district area shall serve terms of one year and ninety (90) days.

(D) One member elected from the peripheral area shall serve a term of three (3) years.

(E) One elected and one appointed member from the peripheral area shall serve terms of two (2) years.

(F) One elected and one appointed member from the peripheral area shall serve terms of one year and ninety (90) days.

All terms of office after the original terms of office set forth above shall be for three (3) years. In the event the office of a member becomes vacant before the end of the term of that office, the appointment to fill said office shall be for the remainder of that term only.

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance shall take effect thirty (30) days from its passage unless given immediate effect by the City Council.

By COUNCILMAN WORTHINGTON—

Resolved by the City Council of the City of Lansing:

This ordinance being necessary for the immediate preservation for the public peace, health or safety shall take effect upon its passage.

Carried.

## REMARKS BY THE MAYOR

No remarks.

## REMARKS BY THE CITY COUNCIL

Councilman Gunther reported Campbell Catering had won National Championship for Hockey; also reported on some of the Parks.

Joseph Kelly, Knights of Columbus for Mentally Retarded, reported on Tootsie Roll Drive.

Gerald Beckwith spoke again.

Rev. Jane West spoke relative ex-convicts being housed at Y.M.C.A.

By COUNCILMAN ADADO—

That this meeting stand adjourned.

Caried.

Council adjourned at 9:30 p.m.

THEO FULTON,
City Clerk.

Lansing, Michigan

April 13, 1981

F/S

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CITY CLERK'S OFFICE
Room 921, City Hall
Lansing, Michigan 48933

Address Correction Requested

BULK RATE
U. S. POSTAGE
PAID
Permit No. 1461
Lansing, Michigan



# OFFICIAL PROCEEDINGS OF
# THE CITY COUNCIL
## OF THE CITY OF LANSING

## Proceedings, April 20, 1981

CITY COUNCIL ROOMS

Lansing, Michigan

April 20, 1981

The City Council of the City of Lansing, Michigan, met in regular session and was called to order by President Belen.

Present: Councilmen Adado, Belen, Blair, Brenke, Gunther, McKane, Worthington—7.

Absent: Councilman Lindemann—1.

The Clerk announced that a quorum of the Council was present.

Invocation was given by Councilman McKane.

Pledge of Allegiance was led by Councilman McKane.

By COUNCILMAN McKANE—

That the Council Proceedings of March 10, 1981, be approved.

Carried.

By COUNCILMAN ADADO—

That the rules of the Council be waived for the presentation of the following resolution.

Carried.

By COMMITTEE OF THE WHOLE—

Resolved by the City Council of the City of Lansing:

Whereas, Coach Stan Stolz and his Okemos High School Chieftains have brought acclaim and honor to the Lansing area by capturing the State Class "B" basketball championship; and

Whereas, with a record breaking overall tally of 26 wins and one loss, the Chieftains really showed their mettle in 1981; and

Whereas, after making it to the semi-finals 2 years ago and the quarterfinals last season Okemos was ready this year when they beat Mason at the district level, East Grand Rapids in the Regionals,

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Marysville in the quarterfinals and Willow Run in the semi-finals and ultimately Mount Pleasant in the championship game at Ann Arbor's Crisler Arena; and

Whereas, Coach Stolz who was named Coach of the Year by the State Journal and Co-Captain Dave Valkanoff (an all-stater in both basketball and football) chosen as a member of the Journal's "All Dream Team" demonstrated tremendous effort along with many other team members and supporters;

Now, Therefore, Be It Resolved, the City Council of the City of Lansing hereby extends its heartiest congratulations, and applauds the Okemos Chieftains on their first State Championship.

Adopted by the following vote:

Unanimously.

## PUBLIC HEARING

April 20, 1981, at 7:00 o'clock being the time set as the time for holding a public hearing on the proposed Commercial Redevelopment Certificate for

Duncan Investment Corporation
530 S. Pine Street.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed certificate they had the privilege of speaking at this time.

Stuart Dunnings III, appearing for Duncan Investment Corp., spoke.

Referred to Committee on Economic Development.

**THE PUBLIC MAY NOW ADDRESS THE CITY COUNCIL ON ANY OF THE FOLLOWING ITEMS LISTED ON THE AGENDA: COMMUNICATIONS AND PETITIONS, COMMITTEE REPORTS, REPORTS OF CITY OFFICERS AND BOARDS AND RESOLUTIONS. YOU MAY SPEAK ONLY FOR 3 MINUTES ON ANY ONE ITEM.**

Committee Report No. 3—not sufficient signatures relative to Genesee Center, was removed from agenda.

Richard Baker, 1004 W. Lapeer, spoke as private citizen relative Genesee Center relative to plans of 2 years ago—screening and buffering, etc.

Hazel Bethea, 1002 W. Shiawassee St., spoke relative Genesee Center.

## COMMUNICATIONS AND PETITIONS

The following applications and bonds have been filed for licenses:

RUBBISH HAULERS—

Presaliano M. Lopez
Curtis Lee McCatrey
Juan C. Ledesma

MECHANICAL AMUSEMENT DEVICE—

Silvio's Lounge
Pasquale's
Velvet Rail Billiards
Charcoal House

BOWLING ALLEYS—

Lansing Recreation Center, Inc.
Pro-Bowl, Inc.

PUBLIC DRIVERS—

James Lewis Bancroft II
Thomas Robert Carr

RELIGIOUS SOLICITATION—

The Salvation Army

ICE CREAM PEDDLER—

Mister Jolly
Jamco, Inc.

AUCTIONEER—

Steve Reeser
Wm. Stanton
Robert E. Howe, Jr.
Gaylord Shafer

SIGN ERECTOR—

Bill Carr Signs, Inc.
Huron Advertising

Referred to Committee on General Services.

Notice from Civic Center submitting information on possible claim/damaged ramp/property damage.

Referred to Mayor, City Attorney.

Claim filed by residents on Massachusetts Ave. in regard to damage to basements due to flooding.

Referred to Mayor, City Attorney.

Notice from the Michigan Pure Water Council of a "Better Health Convention" to be held on May 2, 1981, at the YWCA Auditorium.

Received and placed on file.

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Letter from R. E. Olds Museum Association, Inc., in regard to amendment to lease between the City of Lansing and the R. E. Olds Museum Association, Inc., for the CATA Building Property at 217 Mill Street.

Referred to Mayor and City Attorney.

Petition filed in opposition on rezoning petition Z-5-81—227 W. Hodge St.

Referred to Mayor and Planning Board.

Requests filed for special 24-hour liquor permits for:

The Children of the Ethiopians—May 1, 1981—National Guard Armory.

By COUNCILMAN BRENKE—

That the request be granted provided permission is received from the Michigan Liquor Control Commission.

Carried.

The Ladies Cedars Club of Lansing—May 12, 1981—National Guard Armory.

Referred to Mayor, Committee on General Services.

Liquor Control Commission submits:

Request from Par-Di, Inc., for dropping Thomas J. Parker, Sr., as stockholder in 1980 Class "C" licensed business with Dance-Eentertainment Permit at 1250 Turner St. through sale of shares to new stockholder, Floyd James Houghton.

Referred to Mayor, Committee on General Services.

Notice which was sent to Scofes Restaurant and Lounge, Inc., that their request for the transfer of stock interest in 1980 Class "C" licenses with Sunday Sales and Dance-Entertainment permit located at 2607-2613 S. Cedar St. to Harry Kalaitzoglou and Anargyros Kalas has been cancelled.

Received and placed on file with copy to the Committee on General Services.

Letter from D. C. Schaberg in regard to the proposed closing of Lowcroft St. between Pierce Rd. and Cavanaugh Rd.

Referred to Mayor and Public Property Committee.

Letter from the Law Firm of Einas, Dramis, Brake, Boughton, McIntyre and Reisig, P.C., representing Triad Investment Firm requesting the City of Lansing to establish a Commercial Redevelopment District at 1408 and 1414 E. Michigan Avenue.

Referred to Mayor, Economic Development Board and Committee on Economic Development.

Letter from Village of Holly asking for the City of Lansing support to be sent to the State Boundary Commission in regard to Home Rule Policy.

Referred to Mayor and Committee on General Services.

## MAYOR'S EXECUTIVE ASSISTANT COMMENTS ON ANY ITEM ON THE AGENDA

No comments.

## REPORTS OF COMMITTEES

The COMMITTEE ON GENERAL SERVICES approves the following applications and bonds for licenses:

RUBBISH HAULERS—

Presaliano M. Lopez
Curtis Lee McCatrey
Juan C. Ledesma

MECHANICAL AMUSEMENT DEVICE—

Silvio's Lounge
Pasquale's
Velvet Rail Billiards
Charcoal House

BOWLING ALLEYS—

Lansing Recreation Center, Inc.
Pro-Bowl, Inc.

PUBLIC DRIVERS—

James Lewis Bancroft II
Thomas Robert Carr

RELIGIOUS SOLICITATION—

The Salvation Army

ICE CREAM PEDDLER—

Mister Jolly
Jamco, Inc.

AUCTIONEER—

Steve Reeser
Wm. Stanton
Robert E. Howe, Jr.
Gaylord Shafer

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SIGN ERECTOR—

Bill Carr Signs, Inc.
Huron Advertising

Signed:

WILLIAM A. BRENKE,
TERRY J. McKANE,
Committee on General Services.

By COUNCILMAN BRENKE—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

The COMMITTEE ON WAYS AND MEANS, to whom was referred the Bid B No. 81-457 on Weed Cutting, reports as follows:

It is recommended that the second low bid submitted by BE-Mark Homes be accepted at $9.00 per hour. BE-Mark Homes has the necessary equipment and experience to perform this contract. First low bidder currently does not have the necessary equipment to perform the contract.

Signed:

TERRY J. McKANE,
WILLIAM A. BRENKE,
JACK D. GUNTHER,
Committee on Ways and Means.

By COUNCILMAN McKANE—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

## REPORTS OF CITY OFFICERS AND BOARDS

April 14, 1981

President Lucile Belen and
Members of City Council

Re: Claim of James A. Osburn in the amount of $125.23

Dear President Belen and
Members of City Council:

The claimant, while traveling east on East Main Street at 8:45 p.m. on February 16, 1981 struck a pothole incurring damage to his vehicle in the amount of $125.23.

Pursuant to MCLA 691.1403; MSA 3.996 (103) a municipality is immune from liability for damages caused by defective highways unless it knew or in the exercise of reasonable diligence should have known, of the existence of the defect and had a reasonable time to repair the defect.

This office was informed by the Public Service Department that the first notification it received of a pothole in this area of East Main Street was approximately 9:00 p.m. on February 16, 1981. Therefore, the City did not have knowledge of this pothole until fifteen minutes after claimant struck the pothole.

Based on the above, it is the recommendation of this office that the claim be denied on the basis of governmental immunity.

Respectfully submitted,

STEPHEN R. SAWYER,
City Attorney.

By COUNCILMAN ADADO—

That we concur in the recommendation of the City Attorney and said claim be denied.

Carried.

## LANSING FIRE DEPARTMENT SUBMITS THE ANNUAL REPORT FOR 1980

Received and placed on file.

April 13, 1981

Council President Belen and
Members of the Lansing City Council

10th Floor—Lansing City Hall

Dear Council President and Members:

As required by the Lansing City Charter and related City ordinances the Elected Officers Compensation Commission met on February 24th, 1981, for the first of five meetings and concluded its deliberations on April 7, 1981. During the span of five meetings, the following interviews were made:

Mayor Gerald W. Graves

City Clerk Theo Fulton

City Councilman Sidney Worthington

City Councilman James Blair

City Councilman Louis Adado

City Councilman William Brenke

City Councilman Jack Gunther

City Councilman Patrick Lindemann

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City Councilman Terry McKane

City Director of Management and Budget

The input from all of these officials was valuable and was included in the base of data upon which the salary recommendations were made.

The following factors were the most pertinent in developing this year's recommendations:

1) General economic conditions as they pertain to the next two years of Lansing Municipal operation.

2) Political atmosphere as related to negative public attitudes towards increased governmental spending and increased taxes.

3) Recommendations and comments of the participants in the interviews.

4) Comparisons of the level of salaries and fringe benefits with similar positions in the public and private sectors.

The Commission's recommendation follows:

| | Present | 1981-82 | 1982-83 |
|---|---|---|---|
| Office of the Mayor | $41,279 | Same | Same |
| Office of the City Clerk | $28,500 | Same | Same |
| Office of Councilman | $8,275 | Same | Same |

According to the Lansing City Attorney's opinion of March 27, 1981, the Elected Officers Compensation Commission is limited in its authority to the recommendation of salaries exclusively. This in turn leaves the Council the sole authority to determine its own fringe benefits by simple resolution. The Elected Officers Compensation Commission believes that it was the intent of the drafters of the current City Charter that all compensation of elected officials should be subject to review and recommendation of the Commission. The Commission therefore recommends that the City Council, by resolution suggest to the voters an amendment to the City Charter which would direct the Commission to determine total compensation including all fringe benefits in fiscal years 1983-84 and beyond.

The Commission strongly urges the acceptance of its recommendations, both as they pertain to salaries and the recommended change in responsibility.

Respectfully submitted,

ROY A. COSIER,
Chairman.

By COUNCILMAN McKANE—

That the rules be suspended to introduce and pass the following resolution.

Carried.

By COUNCILMEN McKANE, BELEN, GUNTHER, ADADO, BRENKE, WORTHINGTON—

Resolved by the City Council of the City of Lansing:

Whereas, the City's Elected Officers Compensation Commission recommends that the salaries for the Mayor, the Clerk, and the eight Councilmen remain unchanged for the next two years because of general economic conditions and negative public opinion toward salary increases for elected officials; and

Whereas, the Mayor, the Clerk, and many Councilmen recommended no salary increases to the Compensation Commission; and

Whereas, according to law the Council may allow the Compensation Commission's recommendations to become effective without any Council action; and

Whereas, the Council desires to make a positive, public statement regarding the issue of salaries rather than merely allowing the decision to be made automatically by Council's silence;

Now, Therefore, Be It Resolved that the Lansing City Council strongly endorses and approves the Elected Officers Compensation Commission's recommendation that there be no salary increases for the Mayor, Clerk, and Councilmen; and

Be It Finally Resolved that the City Council commends and thanks the members of the Compensation Commission for their time and effort in reaching their decision.

Adopted by the following vote:

Yeas: Councilmen Adado, Belen, Brenke, Gunther, McKane, Worthington—6.

Nays: Councilman Blair—1.

By COUNCILMAN McKANE—

That the portion in their letter relative to fringe benefits be referred to the City Attorney and the Committee of the Whole.

Carried.

DATE: 4/14/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Director of Building Safety and Development Re: Trash Removal Assessment

The attached correspondence is forwarded

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with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

By COUNCILMAN BRENKE—

That we concur in the recommendation of the Mayor and said assessments be placed on the assessment rolls.

Carried.

DATE: 4/14/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Public Service Director Re: Request to work night hours on South Washington Mall

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

By COUNCILMAN GUNTHER—

That we concur in the request and permission be granted.

Carried.

DATE: 4/10/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Submission of attached correspondence from the Finance Director Re: Comments made by Mr. George Sinadinos at the City Council meeting of March 10, 1981, Re: Parking System Operating Statement and Unnecessary Rate Increases

The attached correspondence is submitted for your information.

GERALD W. GRAVES,
Mayor.

Received and placed in file and a copy be sent to Mr. Sinadinos.

April 13, 1981

Council President Lucile Belen and
Members of the Lansing City Council

10th Floor, City Hall

Lansing, Michigan 48933

Dear Council President and Members:

On April 2, 1981, the City of Lansing received notification from the Department of Natural Resources that the President proposed to Congress the following pertaining to Land and Water Conservation fund:

1) A recession of $145 million of the $228 million appropriated for FY 80-81. All projects without a federal contract are "frozen."

2) Eliminating of state and local grants for FY 81-82.

The City of Lansing submitted a full application to the Department of Natural Resources for the development of the Chadwell Canoe Launch and Dock Project on December 1, 1980. The total project cost is $106,596 (State share $53,298 and City share $53,298) through the Land and Water Conservation Fund.

Due to this freeze the City of Lansing's "Chadwell Canoe Launch and Dock Project" will not be funded at this time. If the recession is approved by Congress, the project will never be funded. Presently, the project is on hold until a determination is made by Congress.

Sincerely,

GERALD W. GRAVES,
Mayor.

Received and placed on file with copy to Committee on Pnblic Properties and Safety.

DATE: 4/10/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Attached correspondence from the Traffic Engineer regarding traffic control revisions at Barnes/Logan, Boston Blvd./Mt. Hope and Mt. Hope/Logan

The attached correspondence is forwarded for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Public Properties and Safety.

April 16, 1981

Council President Lucile Belen and
Members of the Lansing City Council

10th Floor, City Hall

Lansing, Michigan 48933

Dear Council President nad Members:

Attached please find my recommendations to fill expired terms and several resig-

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nations on City boards. Same is submitted to you for your consideration and confirmation in accordance with Section 5-103 of the Lansing City Charter.

Trusting the enclosed meets with your approval, I remain

Sincerely,

GERALD W. GRAVES,
Mayor.

Referred to Council Staff to notify each Council Committee.

DATE: 4/16/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Public Service Director Re: Public Improvemnt I—construction of curb and gutter and necessary drainage on Seventh Avenue from Randall Street to Vance Street

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Physical Development.

DATE: 4/16/81

TO: City Council President nad Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Submission of attached correspondence from the Planning Director Re: Lowcroft Street Closing Proposal ACT-5-81

The attached correspondence is submitted for your information.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Public Property and Safety.

## RESOLUTIONS

By COUNCILMAN GUNTHER—

Resolved by the City Council of the City of Lansing:

For the purpose of State of Michigan licensing, the City of Lansing hereby officially recognizes the Capital City Cardinals Football Team, 3227 Leawood, Lansing, Michigan 48910, (a member of the Michigan Charity Football League) as a non-profit community organization as of this 20th day of April 1981.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON GENERAL SERVICES—

Resolved by the City Council of the City of Lansing:

Whereas, the Committee on General Services has interviewed applicants for a vacancy on the Board of Ethics and selected Mr. John F. Mertz for appointment;

Now, Therefore, Be It Resolved, the Lansing City Council hereby confirms the appointment of John F. Mertz to the Board of Ethics, for a term to expire June 30, 1982.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON GENERAL SERVICES—

Resolved by the City Council of the City of Lansing:

Whereas, Mr. Russel Lawler, legal owner of the property located at 1617 Martin Street, legally described as:

N. 16 feet, Lot 19 and S. 17 feet, Lot 20, Orchard Home Addition, City of Lansing, Michigan,

did submit a written request to the Department of Building Safety and Development to demolish and remove a condemned one-family residential structure located at the above address, and that all costs be applied to the property tax roll;

Now, Therefore, Be It Resolved, the Lansing City Council hereby authorizes the Director of Building Safety and Development to proceed with demolition and removal of the structure, filling and grading the site, and the Purchasing Director is authorized to obtain quotations for the work.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PUBLIC PROPERTIES AND SAFETY—

Resolved by the City Council of the City of Lansing:

Whereas, the Traffic Board has reviewed

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a citizen request for the installation of YIELD signs on Chatham Road at Victor Avenue and recommended that the signs be installed;

Now, Therefore, Be It Resolved, the Lansing City Council hereby authorizes the installation of YIELD signs on Chatham Road at Victor Avenue.

Adopted by the following vote:

Unanimously.

By PHYSICAL DEVELOPMENT COMMITTEE—

Resolved by the City Council of the City of Lansing:

That it is a necessary public improvement and it is hereby determined that a new concrete sidewalk shall be built on the side of:

3301-22-376-101-7 (1632 Alpha on Pershing) owned by Shawn J. & Rebecca J. Rand;

Also at 3301-22-383-261-8 (1700 Alpha on Pershing) owned by James E. & Laura Gonzalez;

and that the owners of said above described lands be and are hereby required to build the same and in accordance with the specifications on file in the office of the City Engineer on or bfore the first day of July, 1981.

That the Director of Public Service is authorized and directed to proceed to construct such concrete walk in front of above described premises after the expiration of said date. Upon the failure of the owner or owners of the parcels herein described to construct the same as hereby required and that the expense of constructing the same against said described land as provided by Section 28-27, Chapter 28 of the Code of Ordinances.

The City Clerk is directed to give due notice hereof by publication of a notice of this resolution as provided by Section 28-41, Chaptr 28 of the Code of Ordinances.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON HUMAN SERVICSE—

Resolved by the City Council of the City of Lansing.

Whereas, the Mayor and the Parks Board have recommended City co-sponsorship of the 1982 State Softball Tournament, scheduled for Labor Day Weekend of 1982;

Now, Therefore, Be It Resolved, the Lansing City Council hereby approves City co-sponsorship of the 1982 State Softball Tournament over the Labor Day Weekend, and authorizes the Administration to extend a warm invitation to the event's organizing agencies offering Lansing area hospitality.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON GENERAL SERVICES—

Resolved by the City Council of the City of Lansing:

Whereas, George W. Abraham II has requested City approval on his application to the Michigan Liquor Control Commission for a new 12 months resort Class "C" license with Dance-Entertainment Permit, to be located at 5015 South Cedar Street; and

Whereas, the proposed location has been duly approved after inspection by appropriate officials, as required; and

Whereas, inspection and approval of the building as modified for this purpose will be made before permission is granted to open for business;

Now, Therefore, Be It Resolved, the Lansing City Council hereby recommends that the above-mentioned application be approved for issuance, pending final inspection and approval of the building.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON WAYS AND MEANS—

Resolved by the City Council of the City of Lansing:

That the following transfers be approved:

$ 285.00 from Estimated Revenues
A/C 101-000-000-160

$ 285.00 to Auction Expenses—Purchasing
A/C 101-233-000-959

$17,500.00 from General Fund—Fund Balance
A/C 101-000-000-390

$17,500.00 to Reserve for Contingency
A/C 101-941-000-963

$17,500.00 from Reserve for Contingency
A/C 101-941-000-963

4,200.00 from Equipment—Central Garage
A/C 101-222-000-977

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10,800.00 from Vehicles—Central Garage
A/C 101-222-000-985

$32,500.00 to Repair Parts—Fire—
Central Garage
A/C 101-222-212-781

I hereby certify that this is a properly drawn and eligible transfer.

JAMES W. DOWSETT,
Finance Director.

Approved:

TERRY J. McKANE,
WILLIAM A. BRENKE,
JACK D. GUNTHER,
Committee on Ways and Means.

Adopted by the following vote:

Unanimously.

By COUNCILMAN GUNTHER—

Resolved by the City Council of the City of Lansing:

That Councilman Lindemann be excused from the session.

Carried.

## REMARKS BY THE EXECUTIVE ASSISTANT

No remarks.

## REMARKS OF THE CITY COUNCIL—SUSPENSION OF RULES

By COUNCILMEN WORTHINGTON—McKANE—

Resolved by the City Council of the City of Lansing:

That the rules of the Council be waived for the purpose of presenting items that are not listed on the agenda.

Carried.

Letter signed by Citizens' District Council No. 1, 2, 3, and 4 they remain in agreement that permanent lien should be placed on any portion of a deferred loan/grant in excess of $15,000 at 0% interest.

Letter signed by Citizens' District Council No. 2, 3, and 4 they remain in agreement to improve standards in an effort to assemble a set of guidelines which will encourage more participation by homeowners in rehabilitation efforts.

Letter signed by Citizens' District Council No. 2 and 3 remain in agreement that the Financial Services should be improved and will serve as incentive for participation in rehabilitation effort.

Referred to Committee on Physical Development.

## REPORT OF COMMITTEE

The COMMITTEE ON PHYSICAL DEVELOPMENT, to whom was referred the Ordinance of the City of Lansing, Michigan, providing that Chapter 16A of the Code of Ordinances, City of Lansing, Michigan, be amended by revising Section 16A-13 and by adding a new Chapter 16B containing subsections to be numbered 16B-1 through 16B-11, inclusive, to provide for the establishment of a city-wide refuse newsprint collection service by private non-profit organizations within the City of Lansing, reports as follows:

That said ordinance be passed as amended.

Signed:

SIDNEY P. WORTHINGTON,
LUCILE BELEN,
WILLIAM A. BRENKE,
Committee on Physical Development.

By COUNCILMAN WORTHINGTON—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

## ORDINANCES

By COUNCILMAN WORTHINGTON—

The Committee of the Whole reported that it had considered an ordinance providing that Chapter 16A of the Code of Ordinances, City of Lansing, Michigan, be amended by revising Section 16A-13 and by adding a new Chapter 16B containing subsections to be numbered 16B-1 through 16B-11, inclusive, to provide for the establishment of a city-wide refuse newsprint collection service by private non-profit organizations within the City of Lansing, and recommended that the ordinance be passed as amended.

Carried.

By COUNCILMAN WORTHINGTON—

Resolved by the City Council of the City of Lansing, that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by providing

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that Chapter 16A of the Code of Ordinances, City of Lansing, Michigan, be amended by revising Section 16A-13 and by adding a new Chapter 16B containing subsections to be numbered 16B-1 through 16B-11, inclusive, to provide for the establishment of a city-wide refuse collection service by private non-profit organizations within the City of Lansing, be placed on order of immediate passage as amended.

Carried.

By COUNCILMAN WORTHINGTON—

Resolved by the City Council of the City of Lansing, that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by providing that Chapter 16A of the Code of Ordinances, City of Lansing, Michigan, be amended by revising Section 16A-13 and by adding a new Chapter 16B containing subsections to be numbered 16B-1 through 16B-11, inclusive, to provide for the establishment of a city-wide refuse newsprint collection service by private non-profit organizations within the City of Lansing, be now passed as amended.

Adopted by the following vote:

Unanimously.

## ORDINANCE NO. 592

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, PROVIDING THAT CHAPTER 16A OF THE CODE OF ORDINANCES, CITY OF LANSING, MICHIGAN, BE AMENDED BY REVISING SECTION 16A-13 AND BY ADDING A NEW CHAPTER 16B CONTAINING SUBSECTIONS TO BE NUMBERED 16B-1 THROUGH 16B-11, INCLUSIVE, TO PROVIDE FOR THE ESTABLISHMENT OF A CITY-WIDE REFUSE NEWSPRINT COLLECTION SERVICE BY PRIVATE NON-PROFIT ORGANIZATIONS WITHIN THE CITY OF LANSING.

The City of Lansing Ordains:

Section 1. That Chapter 16A of the Code of Ordinances of the City of Lansing, Michigan, be amended by revising Section 16A-13 and by adding a new Chapter 16B containing Subsections to be numbered 16B-1 through 16B-11, inclusive, to read as follows:

Sec. 16A-13. **Holidays.**

Refuse and bulk collections shall not be made on the following holidays: The first day of January, commonly called New Year's Day; the last Monday of May, commonly called Memorial or Decoration Day; the fourth day of July, commonly called Independence Day; the first Monday in September, commonly called Labor Day; the eleventh day of November, commonly called Veteran's Day; the fourth Thursday of November, commonly called Thanksgiving Day; the Friday after Thanksgiving; the twenty-fourth and twenty-fifth days of December, commonly called Christmas Eve and Christmas and the thirty-first day of December, commonly called New Year's Eve.

### CHAPTER 16B

Sec. 16B-1. **Residential curbside refuse newsprint collection by private non-profit organizations.**

There is hereby established a city-wide residential curbside newsprint refuse collection service by private non-profit organizations within the City of Lansing.

Sec. 16B-2. **License required.** It shall be unlawful for any person or organization to engage in curbside collection of refuse newsprint in the City of Lansing without first having obtained a license from the City of Lansing as herein provided in this chapter.

Sec. 16B-3.

(A) **Application for license.** License applications shall be made in writing on forms provided by the City Clerk and shall contain the following information:

(1) Name, address, and legal status of the non-profit organization;

(2) Name, address, and telephone number of the contact person within the non-profit organization who shall be responsible for the supervision of the refuse newsprint collection service;

(3) A list of all vehicles to be utilized in the newsprint collection service including name and address of the registered owner, vehicle license plate number, make and model of vehicle, and a copy of a certificate of insurance for said vehicle.

(B) Upon proper filing with the City Clerk of the license application, the Clerk shall forward the application to the Director of Public Service who shall determine, from said application, and such additional information as the Director may require, whether that non-profit organization possesses the requisite vehicles and personnel to perform curbside newsprint refuse collection in an efficient and satisfactory manner. The Director of Public Service may require the inspection of vehicles to be utilized in collection of curbside refuse newsprint to determine whether said vehicle(s) comply with the City of Lansing Traffic Code and can carry refuse newsprint in a secure and efficient manner.

Sec. 16B-4. **Annual Fee.**

For a license issued pursuant to this chapter, the fee shall be twenty dollars ($20.00). No license shall be issued for

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longer than one year and shall expire on April 30th of each year.

Sec. 16B-5. **License Issuance.**

Upon proper filing of a license application with the Lansing City Clerk, payment of the license fee, and a determination by the Director of Public Service that the non-profit organization can perform the collection service in an efficient and satisfactory manner, the City Clerk shall issue a license to the non-profit organization.

Sec. 16B-6. **Licensee cooperation with Public Service Department.**

Organizations licensed to engage in the collection of curbside refuse newsprint shall be assigned routes as determined by the Public Service Department. All routes assigned shall be coordinated with the weekly city-wide residential refuse collection schedule as provided in Chapter 16A of the Lansing Code of Ordinances. The Public Service Director or his representative shall have the authority to assign, change, reduce, eliminate or increase weekly routes based upon regular evaluations of the licensee's efficiency and ability to complete the assigned route in a satisfactory and timely fashion.

The Public Service Department shall make available to the licensee copies of the weekly city-wide collection map containing the collection routes assigned to the non-profit organization. The Public Service Department may charge a reasonable fee for the distribution of said maps to the non-profit organizations.

Sec. 16B-7. **Collection schedule.**

Refuse newsprint shall not be collected at curbside by non-profit organizations on holidays as provided in Section 16A-13 of Chapter 16A of the Lansing Code of Ordinances nor on Saturdays or Sundays. All curbside collection of refuse newsprint shall be collected during the hours of 7:00 a.m. through 5:00 p.m., Monday through Friday.

Sec. 16B-8. **Separation of newsprint refuse.**

All newsprint refuse placed at the curbside for collection by non-profit organizations licensed pursuant to this chapter shall be separated from other refuse, shall be clearly identifiable as refuse newsprint and shall be securely tied in bundles or securely placed in Kraft paper bags not exceeding fifty pounds per bundle or bag.

Sec. 16B-9. **Revocation/non-renewal of license.**

The Public Service Director may, after consultation with the City Attorney and a hearing conducted pursuant to this section, recommend that a license issued pursuant to this chapter be revoked or refused renewal if the licensee 1) violates the Lansing City Code or state law; or 2) demonstrates an inability or unwillingness to coordinate the curbside collection of refuse newsprint with the city-wide residential refuse collection service; or 3) demonstrates an inability to perform the curbside collection of refuse newsprint in an efficient, satisfactory and timely fashion. The Public Service Director shall serve notice in writing to the licensee of the time, date and place of the hearing. The notice shall be served a minimum of ten (10) days before the scheduled hearing and shall contain a reasonably definite statement of the allegation against said licensee. The notice shall inform the licensee that he may appear in person with or without counsel, or through a representative of his choice, may produce witnesses on his own behalf and shall have the right to cross examine witnesses who testify against him. A hearing conducted pursuant to this section shall include a full consideration of the issues involved and a determination of facts on the basis of evidence presented. The Public Service Diector shall notify the licensee in writing of the hearing examiner's findings within ten (10) days of the conclusion of said hearing.

Sec. 16B-10. **Penalty.**

Any person or non-profit organization that violates any porvision of this chapter shall, upon conviction, be guilty of a misdemeanor punishable by a fine of one hundred dollars ($100.00), ninety days in jail, or both.

Sec. 16B-11. **Severability.**

Sections, paragraphs, sentences, clauses and phrases of this chapter are severable and if any phrase, clause, sentence, paragraph or section of this chapter shall be declared invalid by the judgement or decree of any court of competent jurisdiction, such invalidity shall not affect any other section, paragraph, sentence, clause or phrase of this chapter.

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance shall take effect thirty (30) days from its passage unless given immediate effect by the City Council.

Linda McClune-Gobler of the Urban League spoke relative to Ordinance of city-wide refuse collection by private non-profit organizations.

Hal Hermanson, 6300 W. Mt. Hope Ave., spoke for Harder family on Reo Road and the conditions on Reo Road as to severe flooding in 1000 to 1500 blocks of Reo Road.

Referred to Committee on Physical Development.

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Mrs. James Devericks, 2023 Massachusetts Ave., spoke relative sewage backup and loss of materials in their basement.

Referred to City Attorney.

By COUNCILMAN BLAIR—

That this meeting stand adjourned.

Carried.

Council adjourned at 8:30 p.m.

THEO FULTON,
City Clerk.

Lansing, Michigan

April 20, 1981

F/B

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CITY CLERK'S OFFICE
Room 921, City Hall
Lansing, Michigan 48933

Address Correction Requested

BULK RATE
U. S. POSTAGE
PAID
Permit No. 1461
Lansing, Michigan



# OFFICIAL PROCEEDINGS OF
# THE CITY COUNCIL
## OFFICIAL PROCEEDINGS OF

## Proceedings, April 27, 1981

CITY COUNCIL ROOMS

Lansing, Michigan

April 27, 1981

The City Council of the City of Lansing, Michigan, met in regular session and was called to order by Vice-President Gunther.

Present: Councilmen Adado, Blair, Brenke, Gunther, Lindemann, McKane, Worthignton—7.

Absent: Councilman Belen—1.

The Clerk announced that a quorum of the Council was present.

Invocation was given by Councilman Adado.

Pledge of Allegiance was led by Councilman Adado.

By COUNCILMAN BRENKE—

That the council proceedings of April 6, 1981, be approved.

Carried.

THE PUBLIC MAY NOW ADDRESS THE CITY COUNCIL ON ANY OF THE FOLLOWING ITEMS LISTED ON THE AGENDA: COMMUNICATIONS AND PETITIONS, COMMITTEE REPORTS, REPORTS OF CITY OFFICERS AND BOARDS, AND RESOLUTIONS. YOU MAY SPEAK ONLY FOR 3 MINUTES ON ANY ONE ITEM.

Resolutions 8 and 9 removed from agenda relative to ordinances.

Resolution 1-C removed.

Mrs. Gray, 226 S. Butler, spoke relative drive approach.

Referred to Mr. Black in the Mayor's Office.

COMMUNICATIONS AND PETITIONS

The following applications and bonds have been filed for licenses:

MECHANICAL AMUSEMENT DEVICE — Red Rail Bar, Inc.; Blue Chip Club; Golden Gate Restaurant; Shamrock Bar;

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Olde Round Table; Ed's Bar; Torres Taco Restaurant; Popp's Harmonie House; Geller's Lounge; Garage Bar; Famous Taco; Airport Bar; McCleer's Saloon; Mustang Bar; Cinema X Theatre; Treasure House; Silver Dollar Saloon; Capitol Lounge.

AUTOMOBILE WRECKER LICENSES —

Capital Transmission; Howdy Jones Standard, Inc.; University Service Center; Northside Service; Four Seasons Auto and Truck Sales; Waverly Marathon.

POOL TABLE LICENSES —

Velvet Rail Billiards.

THEATERS —

New Art Theatre.

RUBBISH HAULERS LICENSE —

Juan C. Ledesma, Curits Lee McCatrey, Carl Kreager, G. & M. Sanitation.

CABARET —

Parthenon, Joe Covello's.

SECONDHAND DEALER —

Dicker & Deal Second Hand Store; Norm Smith dba "The Store."

DRAIN LAYER BOND —

Durwood Lee Mason.

SIGN ERECTOR —

City Sign Service, Inc.; Central Advertising Co.

HEALTH CLUB —

Y.W.C.A., Oak Park.

AUCTIONEER —

Tom Nagy Auction Co.

BUILDING WRECKER —

American Excavators, Inc.

PEDDLER —

Gunter Nartelski, Russel Ancil.

CHARITABLE SOLICITATION PERMIT—

Peace Education Center.

ICE CREAM PEDDLER —

Dixie Dee Ice Cream Co., 10 bikes & 5 carts.

Referred to Committee on General Services.

The following summons filed in Circuit Court:

Tommie Lee McPherson vs. Ctiy of Lansing for reinstatement to his original position and payment of loss wages as result of wrongful discharge.

Maggie Washington and Samuel Washington vs. Lansing Housing Commission and City of Lansing for injuries from lawnmower.

Referred to Mayor, City Attorney.

The following claims have been filed:

Charles Weekly, 6059 Winterset Dr., for damage to his car when tree fell on it when he was parked in front of 1305 W. Hillsdale St.

James L. Weaver, 3511 Lowcroft Ave., for water damage to entire lower living area through floor drains and caused great amount of damage to many personal possessions, not to mention smell of mold growth throughout entire house.

Mr. and Mrs. Richard L. Kelley, 1320 Hillcrest St., for completely flooded basement with about a foot and half of water from storm sewers.

Richard C. Warren, 1145 Lynwood Ave., for damage to car, lawn, and time lost from work for damage by limb of tree.

Referred to Mayor, City Attorney.

Notice from the State of Michigan — Michigan Tax Tribunal, submitting petition and proof of service for GLS Leasco, Inc. v. City of Lansing in connection with assessment of property at 612 N. Larch St.

Referred to Mayor, City Attorney.

Letter of thanks from President Gannon, Lansing Community College for gift which will be used to further photograph program at Lansing Community College.

Received and placed on file.

Petition filed for rezoning:

Z-16-81 — F—Commercial Zoning

Description of parcel for lots c thru g.

A part of the SW ¼ of Section 10 and part of the SE ¼ of Section 9, T3N, R2W, City of Lansing, Ingham County, Michigan, described as commencing on the ¼ corner common to Section 9 and 10; thence S00° 05'12"E 415.01 feet along the Section line common to Section 9 and 10; thence East 343.44 feet to the Northwest corner of Lot 7, plat of Kahres Farm as recorded in Liber 31 of plats, pages 9-12, Ingham County Records; thence S27°58'02"E 422.32 feet

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along the West line of said Lot 7 to the North line of Highway I-96; thence along said North line the following 6 courses S68°38'48"W 238.84 feet; thence Southwesterly 231.58 feet along a 3628.71 foot radius curve to the right whose chord bears S70° 28'30"W 231.55 feet; thence N00°05'12"W 109.84 feet; thence S89°54'48"W 100.00 feet to the Section line common to Section 9 and 10; thence S00°05'12"E 140.00 feet; thence Southwesterly 882.17 feet along a 3628.71 foot radius curve to the right whose chord bears S80°55'01"W 880.00 feet; thence N02° 07'07"E 170.00 feet; thence N22°01'59"E 258.42 feet; thence Northeasterly 864.19 feet along a 872.50 foot radius curve to the left whose chord bears N83°39'29"E 829.30 feet; thence N55°16'58"E 360.91 feet to the point of beginning containing 10.19 acres of land more or less.

D-1—Professional Office Zoning

Description of parcel for lots h thru t.

A part of the East ½ of Section 9, T3N, R2W, City of Lansing, Ingham County, Michigan, described as beginning on the East-West ¼ line of said Section 9, S89°37' 45"W 1381.36 feet from the East ¼ corner; thence S27°58'02"E 343.77 feet; thence Southeasterly 609.11 feet along a 872.50 foot radius curve to the left whose chord bears S47°58'01"E 596.82 feet; thence S22°01' 59"W 258.42 feet; thence S02°07'07"W 170.00 feet to the North line of Highway I-96; thence along said North line the following 2 courses; thence Northwesterly 850.68 feet along a 3628.71 foot radius curve to the right whose chord bears N85°24'09"W 848.73 feet; thence N78°41'12"W 660.38 feet; thence N00°03'52"E 875.75 feet; thence N77°04'02"E 362.79 feet to the South line of Edgewood Blvd. on the plat of Kahres Farm as recorded in Liber 31 of plats, Pages 9-12, Ingham County Records thence N62°01'58"W 532.50 feet along South line; thence S27°58'02"E 330.14 feet to the point of beginning containing 33.67 acres of land more or less;

from "A" One Family Residential District to "F" Commercial and "D-1" Professional Office District — (Edgewood Blvd. and American Road).

Referred to Mayor, Planning Board.

Everett Alumni Association ask for 24-hour liquor permit of 20th annual Viking Night at Washington National Guard Armory — May 9, 1981.

Referred to Mayor, Committee on General Services.

Downtown Coaches Club ask permission to use approximately 1/3 of 100 block parking lot to erect a 40' x 100' tent for beer/hotdog tent in conjunction with annual sidewalk Art Festival June 26-27, 1981.

Referred to Mayor.

Petition filed in regard to the S. Dexter Drive basketball court.

Referred to Mayor, Parks Board.

Letters from the Department of Natural Resources relative:

Draft of permit under consideration for Commercial Building Addition at 911 Center St.

Copy of letter sent to Vern Fountain of the Zoning Divsion in regard to the development within the flood plain area for certain zonings.

Received and placed on file with copies to the Planning Board, Planning Department and Committee on Physical Development.

**MAYOR'S EXECUTIVE ASSISTANT COMMENTS ON ANY ITEM ON THE AGENDA:**

Mr. Black spoke relative to funds for construction of the Genessee Center parking lot.

**REPORT OF COMMITTEE**

The COMMITTEE ON GENERAL SERVICES approves the following applications and bonds for licenses:

MECHANICAL AMUSEMENT DEVICE —

Red Rail Bar, Inc.; Blue Chip Club; Golden Gate Restaurant; Shamrock Bar; Olde Round Table; Ed's Bar; Torres Taco Restaurant; Popp's Harmonie House; Geller's Lounge; Garage Bar; Famous Taco; Airport Bar; McCleer's Saloon; Mustang Bar; Cinema X Theatre; Treasure House; Silver Dollar Saloon; Capitol Lounge.

AUTOMOBILE WRECKER LICENSES —

Capital Transmission, Howdy Jones Standard, Inc.; University Service Center; Northside Service; Four Seasons Auto and Truck Sales; Waverly Marathon.

POOL TABLE LICENSES —

Velvet Rail Billiards.

THEATERS —

New Art Theare.

RUBBISH HAULERS LICENSE —

Juan C. Ledesma, Curtis Lee McCatrey, Carl Kreager, G. & M. Sanitation.

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CABARET —

Parthenon, Joe Covello's.

SECONDHAND DEALER —

Dicker & Deal Second Hand Store, Norm Smith dba "The Store."

DRAIN LAYER BOND —

Durwood Lee Mason.

SIGN ERECTOR —

City Sign Service, Inc.; Central Advertising Co.

HEALTH CLUB —

Y.W.C.A., Oak Park.

AUCTIONEER —

Tom Nagy Auction Co.

BUILDING WRECKER —

American Excavators, Inc.

PEDDLER —

Gunter Nartelski, Russel Ancil.

CHARITABLE SOLICITATION PERMIT—

Peace Education Center.

ICE CREAM PEDDLER —

Dixie Dee Ice Cream Co., 10 bikes & 5 carts.

Signed:

WILLIAM A. BRENKE,
PAT LINDEMANN,
TERRY J. McKANE,
Committee on General Services.

By COUNCILMAN BRENKE—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

## REPORTS OF CITY OFFICERS AND BOARDS

April 21, 1981

President Belen and Members
of the Lansing City Council

Re: Claim of Ann K. Fisher in the amount of $15.00

Dear President Belen
and Councilmembers:

Claimant alleged that on February 16, 1981, at approximately 1:00 p.m., her vehicle struck a chuckhole on South Cedar Street in front of Coscarelli's Lounge and upon impact punctured a front tire and bent a rim. She submitted a paid bill for the costs to repair the tire, bent rim, and a front-end alignment, in the amount of $15.00.

Mr. Howard G. McCaffery, Director of the Public Service Department of the City of Lansing, reported that the claimant called his office at 1:37 p.m., February 16, 1981, stating her vehicle struck a chuckhole on S. Cedar in front of Coscarelli's. His department dispatched a truck by radio to the aforementioned location, and the chuckhole was filled immediately. He concludes that this department had no previous calls on this location.

MCLA 691.1402; MSA 3.996(102) provides in pertinent part:

"Each government agency having jurisdiction over any highway shall maintain the highway in reasonable repair so that it it reasonably safe and convenient for public travel. Any person sustaining bodily injury or damage to his property by reason of failure of any governmental agency to keep any highway under its jurisdiction in reasonable repair, and in condition reasonably safe and fit for travel, may recover the damages suffered by him from such governmental agency."

MCLA 691.1403; MSA 3.996(103) provides in part:

"No governmental agency is liable for injuries or damages caused by defective highways unless the governmental agency knew, or in the exercise of reasonable diligence should have known, of the existence of the defect and had a reasonable time to repair the defect before the injury took place."

Based on the foregoing statutory provisions and facts presented by this claim it is apparent that the City of Lansing had no notice of any defect existing at the above-stated location prior to the date the incident occurred. Therefore, it is the recommendation of this office that this claim be denied on the basis of governmental immunity.

Respectfully submitted,

STEPHEN R, SAWYER,
City Attorney.

By COUNCILMAN ADADO—

That we concur in the recommendation of the City Attorney and said claim be denied.

Carried.

Letter from the City Attorney 1B in regard to the Claim of Orby Gray was referred to the City Attorney for further information.

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April 21, 1981

President Belen and Members
of the Lansing City Council

Re: Claim of Terri Ann Gregurek in the amount of $93.48

Dear President Belen
and Councilmembers:

Claimant alleges that on February 14, 1981, while traveling North on Pennsylvania Avenue, in the right lane past the traffic light at Mount Hope, her vehicle struck a chuckhole which caused the two front tires to be punctured and bent the rims. Claimant submitted a bill in the amount of $93.48 for costs to replace two tires and two rims and for balancing of the tires. She seeks reimbursement of that amount.

Mr. Howard G. McCaffery, Director of the Public Service Department of the City of Lansing, informed this office that his department first received a call concerning the chuckholes at the above-mentioned location at 6:53 p.m., February 14, 1981, and it was repaired by 7:25 p.m. the same day. He concludes that his department had no previous knowledge of the chuckhole struck by claimant.

MCLA 691.1402; MSA 3.996(102) provides in part:

"Each governmental agency having jurisdiction over any highway shall maintain the highway in reasonable repair so that it is reasonably safe and convenient for public travel. Any person sustaining bodily injury or damages to his property by reason of failure of any governmental agency to keep any highway under its jurisdiction in reasonable repair, and in condition reasonably safe and fit for travel, may recover the damages suffered by him from such governmental agency."

And, MCLA 691.1403; MSA 3.996(103) provides in part:

"No governmental agency is liable for injuries or damages caused by defective highways unless the governmental agency knew, or in the exercise of reasonable diligence should have known, of the existence of the defect and had a reasonable time to repair the defect before the injury took place."

Based upon the foregoing statutory provisions and the facts presented by this claim, it is apparent that the City of Lansing had no notice of the existence of the defect at the above location prior to the occurrence of the alleged incident. Therefore, it is the recommendation of this office that the claim be denied.

Respectfully submitted,

STEPHEN R. SAWYER,
City Attorney.

By COUNCILMAN ADADO—

That we concur in the recommendation of the City Attorney and said claim be denied.

Carried.

April 21, 1981

President Belen and Members
of the Lansing City Council

Re: Claim of Sheri Page in the amount of $61.08

Dear President Belen
and Councilmembers:

Claimant alleges that on February 14, 1981, at approximately 7:00 p.m., her vehicle struck a chuckhole on Pennsylvania Avenue between Mt. Hope and Parkdale which punctured the right front tire and broke a brake adjuster. Claimant submitted a bill in the amount of $61.08 for the costs for replacement of the right front tire and brake adjuster, adjusting the wheel, and wrecker service. She seeks reimbursement in that amount.

Mr. Howard G. McCaffery, Director of the Public Service Department of the City of Lansing, reported that his department received a call at 6:53 p.m. on February 14, 1981, advising of a bad chuckhole at Parkdale and Pennsylvania. A truck was sent out and the chuckhole was repaired at 7:25 p.m. on the same date.

MCLA 691.1402; MSA 3.996(102) provides in pertinent part:

"Each governmental agency having jurdiction over any highway shall maintain the highway in reasonable repair so that it is reasonably safe and convenient for public travel. Any person sustaining bodily injury or damage to his property by reason of failure of any governmental agency to keep any highway under its jurisdiction in reasonable repair, and in condition reasonably safe and fit for travel may recover the damages suffered by him from such governmental agency."

MCLA 691.1403; MSA 3.996(103) provides in part:

"No governmental agency is liable for injuries or damages caused by the defective highways unless the governmental agency knew, or in the exercise of reasonable diligence should have known, of the existence of the defect and had a reasonable time to repair the defect before the injury took place."

Based on the foregoing statutory provisions and the facts presented by this claim, it appears to this office that the City of Lansing had no notice of any defect existing at the above stated location prior to the time the alleged incident occurred. Therefore, it is the recommendation of this office that the claim be denied on the basis of governmental immunity.

Respectfully submitted,

STEPHEN R. SAWYER,
City Attorney.

By COUNCILMAN ADADO—

That we concur in the recommendation of the City Attorney and said claim be denied.

Carried.

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April 20, 1981

President Belen and Members
of the City Council

Re: Claim of Josephine Selfridge in the amount of $16.00

Dear President Belen
and Councilmembers:

On February 10, 1981, claimant, a monthly permit holder, left her vehicle parked in Lot No. 2 because she was unable to start the vehicle upon leaving work. That night Lot No. 2 was plowed, and claimant's vehicle was partially surrounded by a three-foot snow embankment.

Information received from the Traffic Department confirms the presence of the claimant's vehicle on the evening in question; however, the Traffic Department believes the vehicle was not plowed in to the extent reported by the claimant.

Based on the foregoing, it appears that the city may have negligently caused claimant's vehicle to be plowed in. The defense of governmental immunity is not available to the City of Lansing since it was engaged in a service which was not "sui generius," governmental, or of the essence of governing, since the private sector also provides parking services.

Based on the foregoing, it is the recommendation of this office that the claim be allowed in the amount of $16.00.

Yours very truly,

STEPHEN R. SAWYER,
City Attorney.

By COUNCILMAN ADADO—

That we concur in the recommendation of the City Attorney and the City Clerk be and she is hereby directed to draw a warrant on the City Treasurer in the amount of $16.00 payable to Josephine Selfridge.

Carried.

April 23, 1981

Honorable Mayor, Council President Belen
and Members of the City Council

City Hall

Lansing, Michigan 48933

Gentlemen:

I am attaching an Affidavit of Disclosure signed by George Matthew McClain an employee of the City of Lansing intending to have business dealings with the City of Lansing, either directly or indirectly.

Sincerely,

THEO FULTON,
City Clerk.

Received and placed on file.

April 23, 1981

Honorable Mayor Gerald W. Graves
and Lansing City Council

City of Lansing

Michigan

Re: Aurelius Road Landfill Proposal

Dear Mayor Graves and

Members of City Council:

As I am sure you are aware, the development of the new Comprehensive Master Plan for the Southeast Area of Lansing which contains the Aurelius Road Landfill site is almost complete.

Our committee has worked diligently over the last seven (7) months to create a comprehensive plan which considers all areas of physical development including recreational needs. We recognize the need for a development of this nature, however before we can endorse this project, there are several vital issues which must be considered.

Of first priority is the necessity to protect our drinking water from contamination which may occur as a result of breaking the clay seal presently placed over the landfill. Adequate planning must occur in advance of any further commitment by the city to assure that the seal will not be placed in jeopardy by the development of this project. That planning should include answers from the developer as to the provision of utilities, erection of light poles (in view of the two foot base,), construction of the restaurant (bar) concession stand, or any other element of this plan which could potentially cause the seal to be broken.

The second issue of concern is circulation in and around the proposed development, as well as an assurance as to adequate on-site parking. We feel that analysis must be done prior to further commitments, to evaluate the amount of traffic which will be generated by this project and the impacts which will occur to the surrounding road system. Aurelius, Miller and Jolly roads are all two lane roads in bad condition near this development. If the park parcel with access to Pine Tree Road is not developed until later, all vehicles will enter and exit on Aurelius Road at this time. Will the system be adequate to handle the additional traffic generated. Will there be adequate parking on the site or will cars be parking along Aurelius Road.

The above comments should not be construed as a recommendation against the project, but simply a request for the city to proceed in an orderly fashion to "iron out" the technical problems and address important issues. It would certainly be more prudent to spend a little more time now, than a lot of money later if the seal is broken or residents are unhappy over the traffic situation.

We, therefore, request that additional studies be made and precautions taken if necessary to safeguard the water supply

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and avoid circulation/parking problems.

Thank you for this opportunity to express our opinion. Should you have any questions, please feel free to contact us.

Sincerely,

DOUGLAS McGINNIS,
Chairman,
Southeast Area District 7
Committee.

Referred to Committee on Public Property and Safety.

DATE: 4/21/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Administrative Services Director. Re: Request from Capitol Bedding for use or purchase of City property.

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Public Property and Safety.

April 23, 1981

Council President Lucile Belen and Members of the Lansing City Council

10th Floor, City Hall

Lansing, Michigan 48933

Dear Council President and Members:

Last Monday, this City Council adopted a report from the Committee on Public Properties and Safety recommending expenditure of $27,000 for demolition of the Genesee Center, referring the matter to the Ways and Means Committee for possible funding.

I cannot recommend that this expenditure take place. I have recommended on several previous occasions that this Council allow sale of the property to enable the private sector to rehabilitate the existing structure or to demolish as the purchaser sees fit. I continue to recommend that course of action to you.

In addition, this Council heard remarks from former Councilman Richard J. Baker about the unsightly condition of this property, offering that as reason for demoliiton of the property. I would suggest that Council's own inaction has contributed to the poor condition, by allowing a gravel parking lot to continue in violation of the Zoning Code established by City Council. In August 1979, I recommended a transfer of $12,800 to City Council to hard surface the parking lot and landscape this area to protect it from adjacent residences. That recommendation died in Committee, "at the urging of Councilman James Blair the Committee indicated that no action would be taken until a survey of all public parking lots was made, the number unpaved and/or unscreened determined, and an estimate of the costs of bringing all such parking lots into compliance with the requirements of the Ordinance presented to the City Council (from attachment)."

Repeatedly, individuals working in the Manpower Office complained about trash and even abandoned vehicles left on the property. The building has been broken into (and the individual arrested), and a lawn mower was stolen at the site while the City Parks crew was on the other side of the building. While the problems have been substantially mitigated since the Manpower Office was moved to the Hollister Building in the fall of 1980, the building remains empty and in its present vacant condition, an eyesore to the neighborhood.

I recommended to City Council immediately upon the Manpower Office leaving the premises that the building be sold. City Council's inaction has resulted in the majority of the $7,200 budget for utilities this year being spent to provide minimal heat and electricity for building security. Nearly six months has elapsed snice that recommendation was first sent to you.

City Council chose to sell the property for $1 to the Lansing School District, which determined that it could not afford the cost of demolition and was therefore no longer interested in the property. I would suggest that the City cannot afford the cost of demolition of this building any more than could the Lansing School District.

It appears that Council's interest in selling the building to the School District or in developing a park on the property may stem from the fact that the City stands to receive far less for the building than what was paid. The City Assessor has estimated a value of this property at $40,000 in its present deteriorated condition.

It has been suggested that some Council members do not wish to bring up the City's $98,000 purchase of the building on March 27, 1969, from the First Church of the Nazarene, before I took office as Mayor. The City additionally purchased an adjacent residential property for $13,900 on September 1, 1978. I would like to determine what appraisals were done to verify the values of those transactions.

I would also suggest that this is an excellent example of why the City should not involve itself in this sort of real estate transactions. Rather, the City should dispose of this and other unneeded properties as quickly as possible and avoid such purchases in the future. I await your action.

Sincerely,

GERALD W. GRAVES,
Mayor.

Referred to Committee on Public Property and Safety.

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April 23, 1981

Council President Lucile Belen and Members of the Lansing City Council

10th Floor, City Hall

Lansing, Michigan 48933

Dear Council President and Members:

City Council is well aware of the difficulties of residents along Harris Street in enduring heavy truck traffic servicing Friedland Iron and Metal Company.

After considerable discussions by staff, I am forwarding for your actions the recommendation of my Transportation Advisory Group to handle this problem in the short range and the long range. In the short range, the Public Service Director has identified funds in the current fiscal year to install curb and gutter and pave the 50 foot section of property owned by the City at the east end of Harris Street. Friedlands has indicated a willingness to pave the remainnig 50 feet to the Friedland's gate if the City paves its property.

While no Council action is mandatory for this expenditure to be underatken, it is necessary for City Council to dedicate for public use this 50 foot section of roadway. That will enable the City to receive State funds for maintenance of this street once improved. Your action to dedicate this piece of roadway as quickly as possible will be interpreted as concurrence in the installation of curb and gutter and paving.

Additionally, I would request your action to adopt one of the long-range solutions for inclusion in the City's capital improvements plan. I will be glad to provide staff to address your questions. A map has been provided for your convenience.

Sincerely,

GERALD W. GRAVES,
Mayor.

Referred to Committee on Physical Development.

DATE: 4/23/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Planning Director. Re: Z-6-81 — 737, 739, 741 North Larch Street; Z-4-81 — 1900 Block of Willard Avenue; Z-8-81 — 801 South Hosmer.

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Physical Development.

DATE: 4/23/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Planning Director. Re: P-3-81 — Valencia View Subdivision Preliminary Plat.

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES.
Mayor.

Referred to Committee on Physical Development.

DATE: 4/23/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Planning Director. Re: SUP-4-81 — 1000 Lincoln Avenue — Day Care Center.

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Physical Development.

DATE: 4/23/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Planning Director. Re: LS-7-81 — 5000 Stafford.

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Physical Development.

DATE: 4/23/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Planning Director. Re: "West of Ballard Project."

The attached correspondence is forwarded

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with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Physical Development.

DATE: 4/23/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Planning Director. Re: ACT-4-81 — Ottawa Street at Inverness; ACT-8-81 — Kingsley East; ACT-11-81 — Buffalo Street Vacation.

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Public Property and Safety.

DATE: 4/23/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Public Service Director. Re: Public Improvements — Bancroft Hills No. 3 — P.S. 18022.

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Physical Development.

DATE: 4/23/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Public Service Director. Re: Public Improvements — Abood-Ramada Subdivision—P.S. 87033V.

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Physical Development.

DATE: 4/23/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Public Service Director. Re: Hunter's Ridge Subdivision—P.S. 53005 — Public Improvements.

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Physical Development.

## RESOLUTIONS

By PUBLIC PROPERTIES AND SAFETY COMMITTEE—

Resolved by the City Council of the City of Lansing:

Whereas, the South Central Neighborhood Organization (SCNO) proposed in early 1980 to develop a "tot lot" neighborhood park on the former John Bean Co. parking lot at Donora and Baker Streets, having secured a commitment from the land owner, FMC Corporation, to donate the property to the City; and

Whereas, the SCNO held a neighborhood meeting, the Planning Board conducted an Act 285 Review as required, and the Parks Board examined the proposal in relation to the park development priorities; and

Whereas, the Planning Board and Parks Board both approved the proposal for consideration by the City Council;

Whereas, in a letter to the City Council received June 9, 1980, the SCNO stated "We are aware of what will be required to develop the park and are willing to commit ourselves to the completion of the task . . ."; and

Whereas, by resolution on July 7, 1980, the City Council agreed to accept the donation of land by the end of the year, and requested that the Administration coordinate park development efforts with the SCNO; and

Whereas, the Parks and Recreation Department subsequently developed plans and specifications for the tot lot; and

Whereas, the SCNO has made considerable progress on rehabilitating the park site, using volunteer labor and donated materials, without addiitonal expense to the City; and

Whereas, the City Council has now received a petition and letters from residents on Donora Street opposing the tot lot;

Now, Therefore, Be It Resolved the Lansing City Council hereby permits the South

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Central Neighborhood Organization to continue development of a tot lot park at the Baker/Donora site until April 27, 1983; and

Be It Further Resolved such development shall include grading, seeding, landscaping, and installation of appropriate playground amenities and equipment, in accordance with the Donora/Baker Park Grading Plan dated November 14, 1980, prepared by the Parks and Recreation Department. The development shall also include fencing along the south and west side of the property; and

Be It Finally Resolved the Administration is requested to prepare, as soon as possible after April 27, 1983, a recommendation to City Council on best use of this property, based on progress in park development, potential uses other than as a park, and the desires of residents in the surrounding neighborhood.

By COUNCILMAN BRENKE—

That the resolution be amended as follows:

That in the 9th paragraph after the word "organization" insert the following: "with the input of residents on Donora St."

Lost by the following vote:

Yeas: Councilmen Brenke, Gunther—2.

Nays: Councilmen Adado, Blair, Lindemann, McKane, Worthington—5.

The resolution as presented was adopted by the following vote:

Unanimously.

By COMMITTEE ON PUBLIC PROPERTIES AND SAFETY—

Resolved by the City Council of the City of Lansing:

Whereas, the City of Lansing has been requested to assist and participate in the 2nd Annual Great Lakes Invitational Sprints on the Grand River near Frances Park on Saturday, May 16, 1981; and

Whereas, this event is being coordinated by the MSU Crew Team, the Lansing Jaycees, and the Lansing YMCA, with participation by the 12 teams and clubs from throughout the Great Lakes region; and

Whereas, the City is requested to cosponsor the event and to close Moores River Drive for 24 hours;

Now, Therefore, Be It Resolved the Lansing City Council hereby approves City cosponsorship of the 2nd Annual Great Lakes Invitational Sprints, including waiver of all applicable fees, set-up of the City Showmobile and six sets of bleachers, use of the Frances Park picnic pavilion; and

Be It Further Resolved the request to close Moores River Drive to through traffic from W. Mt. Hope Avenue to the east entrance of Frances Park from 7 p.m., May 15, to 7 p.m., May 16, is hereby approved.

Adopted by the following vote:

Unanimously.

By ECONOMIC DEVELOPMENT COMMITTEE—

City of Lansing
County of Ingham, Michigan

RESOLUTION CERTIFYING APPROVAL OF PROJECT AREA DESIGNATION, ESTABLISHING PROJECT DISTRICT AREA BOUNDARIES AND APPOINTING ADDITIONAL DIRECTORS FOR THE FRANK'S NURSERY AND CRAFTS, INC. PROJECT

Minutes of a regular meeting of the City Council of the City of Lansing, County of Ingham, Michigan (the "Council"), held on April 27, 1981, at 7:00 o'clock p.m., Eastern Time.

Present: Councilmen Adado, Blair, Brenke, Gunther, Lindemann, McKane, Worthington.

Absent: Councilmember Belen.

The following preamble and resolution were offered by Member Councilman Brenke and supported by Member Councilman Adado:

Whereas, there exists in the City of Lansing, County of Ingham, Michigan (the "City") the need for certain programs to alleviate and prevent conditions of unemployment, to assist and retain local industrial and commercial enterprises in order to strengthen and revitalize the City's economy and to encourage the location and expansion of industrial and commercial enterprises to provide needed services and facilities to the City and its residents; and

Whereas, a program to alleviate the aforesaid conditions and accomplish said purposes has been initiated by The Economic Development Corporation of the City of Lansing (the "Corporation"); and

Whereas, the Corporation in conformity with Act No. 338 Public Acts of Michigan, 1974, as amended ("Act No. 338"), has designated the hereinafter described project area for such a program to this Council for its approval thereof; and

Whereas, it is also necessary for this Council to establish project district area boundaries; and

Whereas, it is also necessary for this Council to approve the appointment of two additional directors to the Board of Directors of the Corporation pursuant to the provisions of Section 4(2) of Act No. 338;

Now, Therefore, Be It Resolved That:

1. This Council does hereby certify its

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approval of the Corporation's designation of the project area described in Exhibit A hereto attached.

2. This Council does hereby establish as a project district area the property described in Exhibit B hereto attached.

3. This Council does hereby certify its approval of the individuals listed on Exhibit C as additional Directors of the Corporation to serve in conformity with the provisions of Section 4(2) of Act No. 338.

4. It is hereby determined that the requirements of Section 20 of Act No. 338 have been met and that the formation of a project citizens district council is not required.

5. This Council does hereby request that the Corporation take the following factors into account in developing a project plan for this project:

a) Access drives should be located a minimum of fifty (50) feet from the intersection of Pennsylvania and Keystone Avenues.

b) Sand traps and on-site storm drains should be provided in accordance with Lansing Public Service Department specifications.

6. The City Clerk be and is hereby directed to deliver a certified copy of this resolution to the Secretary of the Board of the Corporation.

7. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same hereby are rescinded.

Ayes: Members Councilmen Adado, Blair, Brenke, Gunther, Lindemann, McKane, Worthington.

Nays: Members None.

Resolution Declared Adopted.

THEO FULTON,
City Clerk.

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City Council of the City of Lansing, County of Ingham, Michigan, at a Regular meeting held on April 27, 1981, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, and that the minutes of said meeting were kept and will be or have been made available as required by said Act.

THEO FULTON,
City Clerk.

Adopted by the following vote:

Unanimously.

By ECONOMIC DEVELOPMENT COMMITTEE—

Resolved by the City Council of the City of Lansing:

Whereas, Act No. 450 of the Public Acts of 1980 (the "Tax Increment Finance Authority Act") authorizes cities to establish a tax increment finance authority and to designate an authority district within which the tax increment finance authority shall exercise its powers, and

Whereas, the Tax Increment Finance Authority Act authorizes a tax increment finance authority to borrow money and issue its tax increment bonds to implement a plan of development in an authority district; and

Whereas, the City of Lansing hereby determines that it is in the best interests of the public to halt a decline in property values, increase property tax valuation, eliminate the causes of decline in property values, and to promote growth in and surrounding the area in the City of Lansing described as follows:

Commencing at the intersection of the center lines of Shiawassee and Walnut Streets, thence south along the center line of Walnut Street to the south line of Section 16, thence east along the south line of Section 16 to its intersection with the east line of Section 16, thence north along the east line of Section 16 to its intersection with the center line of Shiawassee Street, thence west along the centerline of Shiawassee Street to the point of beginning.

and desires to declare its intention to provide for the operation of a tax increment finance authority; and

Whereas, pursuant to the requirements of the Tax Increment Finance Authority Act, it is necessary for the City Council of the City of Lansing to hold a public hearing on the adoption of a proposed resolution creating a tax increment finance authority and designating the boundaries of the authority district within which the tax increment finance authority shall exercise its powers.

Now, Therefore, Be It Resolved, that the City of Lansing hereby declares its intention (i) to create and provide for the operation of a tax increment finance authority to be known as the Tax Increment Finance Authority of Lansing pursuant to Act No. 450 of the Public Acts of Michigan of 1980, (ii) to designate the board of directors of the Economic Development Corporation of the City of Lansing established pursuant to Act No. 338 of the Public Acts of 1974, as amended, as the board having supervision and control of the Tax Increment Finance Authority of Lansing, and (iii) to designate the boundaries of the authority district within which the Tax Increment Finance Authority of Lansing shall exercise its powers as follows:

Commencing at the interesction of the center lines of Shiawassee and Walnut Streets, thence south along the center line

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of Walnut Street to the south line of Section 16, thence east along the south line of Section 16 to its intersection with the east line of Section 16, thence north along the east line of Section 16 to its intersection with the center line of Shiawassee Street, thence west along the centerline of Shiawassee Street to the point of beginning.

Be It Further Resolved ,that a public hearing on the adoption of a proposed resolution to create the Tax Increment Finance Authority of Lansing, designating the board of the Tax Increment Finance Authority of Lansing and the boundaries of the authority district shall be held at seven (7) o'clock in the afternoon, on the 18th day of May, 1981, in the City Council chambers, 10th Floor, City Hall, in the City of Lansing, County of Ingham, Michigan.

Be It Further Resolved, that notice of such public hearing shall be published twice in The State Journal, a newspaper of general circulation in the City of Lansing, not less than twenty (20) days nor more than forty (40) days before the date of the hearing. Notice shall also be mailed to property taxpayers of record in the proposed authority district not less than twenty (20) days before the hearing. Notice of the hearing shall be posted in at least twenty (20) conspicuous and public places in the proposed authority district not less than twenty (20) days before the hearing. The notice shall state the date, time and place of the hearing and shall describe the boundaries of the proposed authority district.

Be It Further Resolved, that notice of such hearing shall be given by first class mail to the Ingham County Board of Commissioners, the Lansing Board of Education, the Lansing Community College and the Ingham Intermediate School District.

Adopted by the following vote:

Unanimously.

By COUNCILMEN BELEN and ADADO—

Resolved by the City Council of the City of Lansing:

Whereas, the City Council of the City of Lansing has on numerous occasions by resolution affirmed its support for development of the "100 Block" of downtown Lansing; and

Whereas, by resolution dated June 4, 1979, this Council did state its intent to transfer ownership of the land, described as Block 100, Original Plat, City of Lansing, to the Economic Development Corporation of the City of Lansing, to be incorporated into the development plans for the "100 Block." Such plans shall include a payback mechanism for the city's investment in the project; and

Whereas, this Council desires to proceed in accordance with the financing plan proposed by the "Special Advisory Committee" and approved in concept by this Council March 30, 1981.

Now, Therefore, Be It Resolved that the City Council of the City of Lansing declares its intention to initiate proceedings to transfer ownership of the "100 Block" as described in paragraph two above to the Economic Development Corporation of the City of Lansing; and

Be It Further Resolved that a public hearing be set on the proposed transfer for May 18, 1981, at 7:00 p.m. in these Council Chambers; and

Be It Finally Resolved that a notice of the proposed transfer and the date, time and place of the public hearing shall be printed in a newspaper of general circulation at least ten (10) days prior to the public hearing.

Adopted by the following vote:

Unanimously.

By COMMITTEE OF THE WHOLE—

Resolved by the City Council of the City of Lansing:

Whereas, the City of Lansing is in the process of constructing a new street along the David Street right-of-way which will connect East High Street with U.S. 27; and

Whereas, a pedestrian tunnel will be constructed underneath a portion of this street to facilitate the movement of Motor Wheel Corporation employees from one side of the street to the other; and

Whereas, construction of this tunnel is part of the Title I project; and

Whereas, it has been necessary for the City and Motor Wheel Corporation to enter into an agreement for the construction of the tunnel, the ownership of the tunnel, the indemnification and the removal of fence for the construction of the roadway,

Now, Therefore, Be It Resolved that the "Letter Agreement Between the City of Lansing and Motor Wheel Corporation for the Construction of a Pedestrian Tunnel and Fence Removal or Relocation" be approved and that the Mayor and City Clerk be authorized to sign the agreement.

Adopted by the following vote:

Unanimously.

## PUBLIC IMPROVEMENT I

By COMMITTEE ON PUBLIC SERVICE AND HIGHWAYS—

Resolved by the City Council of the City of Lansing:

That it is hereby determined to be a pub-

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lic necessity to construct curb and gutter in Seventh Avenue from Randall Street to Vance Street as petitioned for (See Petition No. CG-1-81 on file with the City Clerk); signed by owners of 75% of the benefitted frontage; signed by 75% of the benefitted owners.

That the Department of Public Service be and hereby is directed to cause to be prepared so far as necessary, diagrams and plats of the whole of said district, and/or plans and specifications for such project, and is further directed to estimate in detail the cost of said project, and furnish said information to the Council.

Adopted by the following vote:

Unanimously.

By PHYSICAL DEVELOPMENT COMMITTEE—

Resolved by the City Council of the City of Lansing:

Whereas, the Lansing City Council has established a policy regarding the disposition of vacant lots in Neighborhood Development Areas; and

Whereas, Section 8-403.4 of the City Charter of the City of Lansing requires that City Council approve proposed sales of real estate,

Now, Therefore, Be It Resolved by the Lansing City Council that the following proposed sales be and are hereby approved:

To: Inell H. Vincent, a single woman, the property legally described as Lot 90 and the East 8.25 feet of Lot 91, Assessor's Plat No. 9, City of Lansing, Ingham County, Michigan (Commonly known as 1127 West Kalamazoo Street, No. 3301-17-451-441-6).

Adopted by the following vote:

Unanimously.

By PHYSICAL DEVELOPMENT COMMITTEE—

Resolved by the City Council of the City of Lansing:

Whereas, the Lansing City Council has established a policy regarding the disposition of vacant lots in Neighborhood Development Areas; and

Whereas, Section 8-403.4 of the City Charter of the City of Lansing requires that City Council approve proposed sales of real estate,

Now Therefore, Be It Resolved by the Lansing City Council that the following proposed sales be and are hereby approved:

To Manuel C. Gutierrez, Jr. and Virginia Gutierrez, husband and wife, the property legally described as the south 33 feet of the east 16.5 feet of the west 115.5 feet of Lot 16, Block 2, Handy Home Addition (Portion of 910 Drury Lane, No. 3301-10-157-341-9);

and

To Martin Block Corporation, a Michigan Corporation, the property legally described as Lots 91 and 92, Parkview Land Company Addition (1003 Lathrop Street, No. 3301-22-226-311-6).

Adopted by the following vote:

Unanimously.

By COUNCILMAN WORTHINGTON—

Resolved by the City Council of the City of Lansing:

SUP-2-81

218 South Butler Boulevard

Whereas, pursuant to Section 36-42(12) of the Lansing Zoning Code, being Chapter 36 of the Code of the City of Lansing, Carol Ann Horvath, representing Loaves and Fishes, has requested a special use permit to allow the operation of an overnight shelter to provide housing for a maximum of eleven (11) temporarily homeless persons upon the premises commonly known as 218 South Butler Boulevard, more particularly described as:

The north ½ of Lot 20, Block 11, Plat of Bush, Butler and Sparrow's Addition, City of Lansing, Ingham County, Michigan; and

Whereas the Planning Board has reviewed the requested special use permit and, at their meeting of March 17, 1981, recommended that the special use permit be approved subject to conditions; and

Whereas the Physical Development Committee of the City Council, to whom the report of the Planning Board was referred, concurred therewith;

Now, Therefore, Be It Resolved that the Council of the City of Lansing hereby expresses its intent to approve Special Use Permit No. 2 of 1981 upon certification by the Planning Department, the Department of Building Safety and Development, and the Fire Prevention Bureau that all necessary Code compliance alterations and site improvements have been completed; and

Be It Further Resolved that this resolution of intent shall expire after a period of six (6) months, except that the petiitoner may request an extension; and

Be It Finally Resolved that the City Clerk be, and she is hereby, directed to notify the petitioner of this action and the conditions thereof.

Adopted by the following vote:

Unanimously.

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By COUNCILMAN WORTHINGTON—

Resolved by the City Council of the City of Lansing:

SUP-3-81

Northwest Corner of Aurelius Road and Hoyt Avenue

Whereas, pursuant to the Lansing Flood Plain Control Ordinance, being Article V of Chapter 36 of the Code of the City of Lansing, Roy C. Markey has requested a special permit to allow the construction of nine (9) duplexes, within the base (100 year) flood plain of the Red Cedar River, on approximately 2¾ acres of vacant land located at the northwest corner of Aurelius Road and Hoyt Avenue, more particularly described as:

Lots 61 and 62 and Lot 63, except the east 17 feet, Good Home Subdivision, City of Lansing, Ingham County, Michigan; and

Whereas the Planning Board, at their meeting of April 7, 1981, reviewed the requested special permit and recommended approval subject to conditions; and

Whereas the Physical Development Committee of the City Council, to whom the report of the Planning Board was referred concurred therewith;

Now, Therefore, Be It Resolved that the Council of the City of Lansing hereby approves Special Permit Number 3 of 1981, to allow the construction of nine (9) duplexes upon the above described premises subject to the conditions that all construction occur in accord with the provisions of the Lansing Flood Plain Control Ordinance and the "D-M:1" Multiple Dwelling District, the Rules and Regulations of the National Flood Insurance Program, and the requirements of the State of Michigan Department of Natural Resources permit to occupy or alter the flood plain; and

Be It Further Resolved that the City Clerk be, and she is hereby, directed to notify the petitioner of this action and the conditions thereof.

Adopted by the following vote:

Unanimously.

## PUBLIC IMPROVEMENT II

By COMMITTEE ON PHYSICAL DEVELOPMENT—

Resolved by the City Council of the City of Lansing:

That the plans and specifications returned by the Department of Public Service in pursuance of the resolution of this Council:

Resolution date: 12/19/80 ordered

4/27/81 PI-I

P.S. No. 74049 Storm

Property Benefited: All lands fronting on Newark Ave. from Pleasant Grove Rd. westerly to the W. property line of 3001 Newark excepting all public streets and alleys and other lands deemed not benefited;

Resolution date: 12/19/80 ordered

4/27/81 PI-I

P.S. No. 76105 Storm & Sanitary

Property Benefited: All lands fronting on Curry Lane from Kaynorth St. to the west end of street, excepting all public streets and alleys and other lands deemed not benefited;

be received, approved and placed on file.

The Engineer's estimated expense of said improvements are as follows:

Project Number PS 76105

**Intersection and City Contribution**

| | |
|---|---|
| Sanitary | $ 5,000.00* |
| Stubs | 0.00 |
| Total Sanitary Cost | $ 5,000.00 |
| Storm | $ 4,000.00** |
| Total Cost | $ 9,000.00 |

**Assessable to Property Owners**

| | |
|---|---|
| Sanitary | $14,700.00 |
| Stubs | 1,200.00 |
| Total Sanitary Cost | $15,900.00 |
| Storm | $29,300.00 |
| Total Cost | $45,200.00 |

**Total Project Cost**

| | |
|---|---|
| Sanitary | $19,700.00 |
| Stubs | 1,200.00 |
| Total Sanitary Cost | $20,900.00 |
| Storm | $33,300.00 |
| Total Project Cost | $54,200.00 |

*590-536-608-974 **101-936-617-973

That the Purchasing Director be directed to advertise and let for bid the specifications for said projects as submitted by the Department of Public Service.

That the City Assessor be, and is directed, to make special assessment installment rolls, based upon bids to be received and other related costs of construction, and return same to the City Council.

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All projects are a part of the Curry Lane and Other Storm and Sanitary Sewers Contract, PS 76105.

I hereby certify that funds are available and encumbered for the City of Lansing's share of said project.

CHARLES S. REMENAR,
Deputy City Controller.

Adopted by the following vote:

Unanimously.

## ZONING

By COUNCILMAN WORTHINGTON—

Whereas, it is deemed desirable to amend the Classification provided for in the Zoning Code of the City of Lansing, passed on the 13th day of November, 1958, in the following particulars, viz:

That property described as:

Z-3-81—700 and 800 blocks of Center Street, 403 East Saginaw Street and 700 N. Cedar St.,

be re-zoned from "H" Light Industrial, "E" Apartment-Shop, "C" Two Family Residential and "G-2" Wholesale District to "G" Business and "J" Parking Districts and the "Map" be changed to indicate such transfer;

Therefore, be it resolved, that the City Clerk shall give at least fifteen days notice of a Public Hearing when all persons interested may attend and make any objections they may have to such proposed changes in said Zoning Code.

Resolved further, that such hearing shall be held at the Council Chamber in the City Hall on the 18th day of May, 1981, at 7:00 o'clock p.m., and that notice of such hearing be published in the official publication of said city, as required by law.

Adopted by the following vote:

Unanimously.

By COMMITTEE OF THE WHOLE—

Resolved by the City Council of the City of Lansing:

That the following transfers be approved:

$1,305,000.00 from Pumping Stations
A/C 590-536-722-974

1,438,400.00 from Red Cedar Step III—
Phase I Construction
A/C 590-536-800-974

$ 645,000.00 to 201 Facilities Plan
Step II
A/C 590-536-612-974

425,000.00 to North Grand River
Interceptor Impr.
A/C 590-536-613-974

1,100,000.00 to Estimated Revenues
A/C 590-000-000-160

573,400.00 to Retained Earnings
A/C 590-000-000-395

I hereby certify that this is a properly drawn and eligible transfer.

JAMES W. DOWSETT,
Finance Director.

Adopted by the following vote:

Unanimously.

By COUNCILMAN McKANE—

Resolved by the City Council of the City of Lansing:

That Councilman Belen be excused from the session.

Carried.

By COUNCILMEN LINDEMANN and ADADO—

Resolved by the City Council of the City of Lansing:

That the rules of the Council be waived for the purpose of presenting items that are not listed on the agenda.

Carried.

Petition filed in opposition to the special use permit — SUP-4-81 — 1000 Lincoln Avenue.

Referred to Mayor, Committee on Physical Development.

April 23, 1981

Chairman Patrick Lindemann and Members
Committee on Pulbic Properties and Safety

Lansing City Council

Gentlemen:

Attached is a position statement relative to the Police Department's facilities situation adopted by the Board of Police Commissioners on April 21, 1981.

This is being forwarded for your consideration and in response to your request dated February 24, 1981.

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If we can be of any further service, do not hesitate to contact us.

Respectfully yours,

RICHARD A. GLEASON,
Chief of Police.

Referred to Committee on Public Property and Safety.

**REMARKS BY THE MAYOR'S EXECUTIVE ASSISTANT:**

No remarks.

**REMARKS BY THE CITY COUNCIL:**

Councilman Adado announced he would not be a candidate for Mayor.

By COUNCILMAN BLAIR—

That this meeting stand adjourned.

Carried.

Meeting adjourned at 7:40 P.M.

THEO FULTON,
City Clerk.

Lansing, Michigan

April 27, 1981

F/B

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CITY CLERK'S OFFICE
Room 921, City Hall
Lansing, Michigan 48933

Address Correction Requested

BULK RATE
U. S. POSTAGE
PAID
Permit No. 1461
Lansing, Michigan



# OFFICIAL PROCEEDINGS OF
# THE CITY COUNCIL
## OFFICIAL PROCEEDINGS OF

## Proceedings, May 4, 1981

CITY COUNCIL ROOMS

Lansing, Michigan

May 4, 1981

The Ctiy Council of the City of Lansing, Michigan, met in regular session and was called to order by President Belen.

Present: Councilmen Belen, Blair, Brenke, Gunther, Lindemann, McKane, Worthington—7.

Absent: Councilman Adado—1.

The Clerk announced that a quorum of the Council was present.

Invocation was given by Councilman Gunther.

Pledge of Allegiance was led by Councilman Gunther.

By COUNCILMAN BRENKE—

That the Council Proceedings of April 13, 1981, be approved.

Carried.

PUBLIC HEARING
NDA NO. 3 PLAN AMENDMENT
Monday, May 4, 1981—7:00 p.m.

CITY CLERK FULTON: This is the time set for the public hearing on the proposed amendment to the physical development plan for the Northside Neighborhood Development Area No. 3. This hearing is to consider an amendment prepared pursuant to the requirements of Michigan Act 344 of the Public Acts of 1945, as amended.

PRESIDENT BELEN: The Clerk will read.

CITY CLERK FULTON: The proposed amendment contains provisions for the acquisition of two residential structures at 1535 N. High and 1558 N. High, in NDA No. 3.

PRESIDENT BELEN: Mr. Bruce Deason of the Lansing Planning Department will now proceed with the introduction of exhibits.

MR. DEASON: President Belen, Members of the City Council, ladies and gentlemen, this public hearing regarding the acquisition of 1535 N. High Street and 1558 N. High Street is being held in accordance

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with Michigan Act 344 of the Public Acts of 1945, as amended, an act known as the Bliglhted Areas Act. For the purposes of the record, I would like to introduce eight exhibits regarding the background of this property and activities that have occurred in preparation for this hearing.

It is not necessary to read each of the exhibits, but their description follows:

**Exhibit No. 1** is a certified copy of an excerpt from the Citizens' District Council No. 3 minutes of February 17, 1981, in which members tentatively approve the acquisition of the property at 1558 N. High Street.

**Exhibit No. 2** is an affidavit signed by members of the Rehabilitation Review Committee concerning the action they took at their February 25, 1981, meeting and their subsequent recommendation to acquire the structure at 1535 N. High Street.

**Exhibit No. 3** is a certified copy of an excerpt from the Lansing Planning Board minutes of March 17, 1981, in which members tentatitvely approve the acquisition of the properties at 1535 N. High and 1558 N. High.

**Exhibit No. 4** is background information on the proposed acquisition of properties at 1535 N. High and 1558 N. High.

**Exhibit No. 5** is a copy of the Resolution of City Council setting May 4, 1981, as the date of the Public Hearing to consider the proposed plan amendment.

**Exhibit No. 6** is a certified copy of the Notice of Public Hearing that was published in the Lansing State Journal on April 5, 1981.

**Exhibit No. 7** is an affidavit affirming that Notice of the Public Hearing was distributed door-to-door in the district and development areas of Neighborhood Development Area No. 3 on April 17, 1981.

**Exhibit No. 8** is an affidavit affirming that Notice of the Public Hearing was mailed to residents in the district and development areas in Neighborhood Development Area No. 3 on April 13, 1981.

The structure at 1535 N. High Street would require an estimated $16,463 for code repairs plus an estimated $3,459 for repairs to most rehabilitation standards. In addition, the condition of the land would require $1,885 to correct drainage problems. The house has an assessed value of $4,800 which indicates an approximate market value of $19,200. However, an independent appraisal showed the market value to be about $15,000.

The structure located at 1558 N. High Street would require an estimated $21,545 for code repairs plus an estimated $3,120 for repairs to meet rehab. standards. This cape cod house was fire damaged in 1978. Insurance repairs were cosmetic in nature and less than adequate. The structure is assessed for $3,900 which indicates an approximate market value of $15,600. The house is currently vacant so that there would be no relocation costs involved in the acquisition of this house. Therefore, it is recommended that the two properties be acquired, the residents relocated, and the structures demolished.

PRESIDENT BELEN: Anyone in the audience who would like to comment on the proposed acquisition of the properties at 1535 N. High Street or 1558 N. High Street in Neighborhood Development Area No. 3, the relocation of the residents at 1535 N. High, or the demolition of those structures, please step to the microphone, state your name, address, and comments, keeping in mind that there may be other people who would like to be heard.

No comments.

PRESIDENT BELEN: If there are no further comments, then the Planning Department is directed by the Chair to forward this Amendment to the Northside Neighborhood Development Area No. 3 Plan to Citizens' District Council No. 3 for that group's review. Pursuant to Public Act 344, the District Council's action must be completed during the 10 day period ending on May 14, 1981.

Referred to Committee on Physical Development.

**THE PUBLIC MAY NOW ADDRESS THE CITY COUNCIL ON ANY OF THE FOLLOWING ITEMS LISTED ON THE AGENDA: COMMUNICATIONS AND PETITIONS, COMMITTEE REPORTS, REPORTS OF CITY OFFICERS AND BOARDS AND RESOLUTIONS. YOU MAY SPEAK ONLY FOR 3 MINUTES ON ANY ONE ITEM.**

Bernie Danowitz, 324 S. Washington, spoke in regard to the ticketing of cars on Saturday in the 300 block of S. Washington Ave.

Referred to Mayor's office.

Chris Campbell, 417 N. Jenison, spoke. re: Logan corridor and presented letter.

Referred to Committee on Physical Development.

## COMMUNICATIONS AND PETITIONS

The following applications and bonds have been filed for licenses:

MECHANICAL DEVICE:

Amber Coin Laundry, Clara's, Coscarelli, Colonial Bar, Joseph Covello, Corey, Eagle Lodge, Front Office, Green Door,

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Holiday Lanes, Holiday Lounge, Holiday Inn South, Irish Pub, Mac's Time Machine, Mauds, Metro Bowl, Milo's Tavern, Pappy's Pizza, Pro Bowl West, Quality Inn, Riverview Tavern, Rocky's, Sholty Bar, Sir Pizza—Willow, Sir Pizza—Kalamazoo, Sir Pizza—Waverly, Spartan Lanes, Starrs Black and Tan, Steve's Tramp Disco, Deli Depot, Mr. Munchies, Westlawn Lanes, Lansing Recreation, Johnson's Bar & Grill, Shannon's Saloon, The Driftwood, Frenchie's Bar & Restaurant, El Tango, Bonnie & Clyde's, Silver Dollar, Buck & Mary's Grill, Casa Nova Pizza, Pussycat Theatre, Executive Art Studios, Inc.—E. Michigan Ave., Executive Art Studios, Inc.—N. East Street, and Holiday Inn.

CABARET:

Spartan Lanes, Colonial Bar, Inc.

WRECKER:

Campus Standard, D. Standard, Bartlett's Shell Service, Inc., Kessler's Service, Shroyer's & Central Towing, Inc., Roy's Towing, and Four Season's Auto Wrecker.

RUBBISH HAULER:

Ezekiel Cantu, Philip C. Treadwell, Henry Kline.

THEATRES:

Pussycat, Cinema X, Spartan 1, 2 and 3.

POOL ROOM AND BOWLING ALLEY LICENSE:

Westlawn Lanes, Holiday Lanes, Spartan Lanes, Inc., Metro Bowl, Inc.

SIGN ERECTOR:

Sign Art, Inc., Van Houten Electric Sign, Inc., Townsend Neon, Inc., Mid-Michigan Stamp & Sign, Inc., Amor Sign Studies,

AUCTIONEER:

Avraham Basharel.

SECOND HAND DEALER:

Woody's Second Hand Store.

PUBLIC DRIVERS:

John Bunn, David Lee DeVries, Edward Henry Garvey, Bernard Terrence McCashen, John Clifton Trayler.

Referred to Committee on General Services.

Summonses filed in Circuit Court:

Jack Thomas vs. City of Lansing in regard to the rezoning of property at 5303 S. Logan Street.

Norris V. Howell vs. City of Lansing for assessment of property at 708 N. Sycamore Street.

Referred to Mayor and City Attorney.

Petition filed for rezoning:

Z-17-81—

Lot 4 of Fosmor Subdivision, a part of the Southwest ¼ of the Southeast ¼ of Section 20, T4N, R2W,, City of Lansing, Ingham County, Michigan, from "B" One Family Residential District to "D-1" Professional Office District—(1226 W. Mt. Hope Avenue).

Referred to Mayor and Planning Board.

Letter from Peggy Bokovoy submitting her resignation from the Board of Canvassers for the City of Lansing.

Received and placed on file.

Letter from Liquor Control Commission submitting request from G.L.O., Inc., for a new entertainment permit to be held in conjunction with 1980 Class "C" license with Dance permit at 4924 S. Logan St.

Referred to Mayor, Committee on General Services.

Request from Bonnie Leisenring on behalf of the Lansing 300 blind bowling league for permission to have a booth in the downtown area on July 4, 1981 River Fest to sell cook books and other items.

Referred to Mayor.

Request from W.I.L.S. to place a remote broadcast unit in front of Moriarity's Pub at 802 E. Michigan Avenue on May 8, 1981 from 2-7 p.m.

By COUNCILMAN WORTHINGTON—

That the above request be approved.

Carried.

Letter from Lansing School District in regard to Annual Fun Day to be held on May 29, 1981, and asks for City support.

Referred to Mayor.

Letter from Prescott E. Lane, P.C., on behalf of Client, Dart Medical, Inc., for the consideration of City Council to con-

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sent to the transfer of employment from City of Lansing to Alaideon Township.

Referred to Mayor, Economic Development Corporation, Committee on Economic Development.

Letter from the Economic Development Corporation in regard to the Reciprocal Agreement for Transfer of Employment.

Referred to Mayor, Committee on Economic Development and Economic Development Corporation.

News Release from Continental Cablevision of Lansing, Inc., relative to the adding of a Cable News Network to Cable Channel Line-Up.

Received and placed on file.

Consumers Power Company submits notice of a meeting to be held on May 4, 1981.

Received and placed on file.

Department of Natural Resources submits a Flood Plain Permit for Wayne Magee.

Received and placed on file.

## MAYOR'S EXECUTIVE ASSISTANT COMMENTS ON ANY ITEM ON THE AGENDA

No comment.

## REPORTS OF COMMITTEES

The COMMITTEE ON GENERAL SERVICES approves the following applications and bonds for licenses:

MECHANICAL DEVICE:

Amber Coin Laundry, Clara's, Coscarelli, Colonial Bar, Joseph Covello, Corey, Eagle Lodge, Front Office, Green Door, Holiday Lanes, Holiday Lounge, Holiday Inn South, Irish Pub, Mac's Time Machine, Mauds, Metro Bowl, Milo's Tavern, Pappy's Pizza, Pro Bowl West, Quality Inn, Riverview Tavern, Rocky's, Sholty Bar, Sir Pizza—Willow, Sir Pizza—Kalamazoo, Sir Pizza—Waverly, Spartan Lanes, Starrs Black and Tan, Steve's Tramp Disco, Deli Depot, Mr. Munchies, Westlawn Lanes, Lansing Recreation, Johnson's Bar & Grill, Shannon's Saloon, The Driftwood, Frenchie's Bar & Restaurant, El Tango, Bonnie & Clyde's, Silver Dollar, Buck & Mary's Grill, Casa Nova Pizza, Pussycat Theatre, Executive Art Studios, Inc.—E. Michigan Ave., Executive Art Studios, Inc.—N. East Street, and Holiday Inn.

CABARET:

Spartan Lanes, Colonial Bar, Inc.

WRECKER:

Campus Standard, D. Standard, Bartlett's Shell Service, Inc., Kessler's Service, Shroyer's & Central Towing, Inc., Roy's Towing, and Four Season's Auto Wrecker.

RUBBISH HAULER:

Ezekiel Cantu, Philip C. Treadwell, Henry Kline.

THEATRES:

Pussycat, Cinema X, Spartan 1, 2 and 3.

POOL ROOM AND BOWLING ALLEY LICENSE:

Westlawn Lanes, Holiday Lanes, Spartan Lanes, Inc., Metro Bowl, Inc.

SIGN ERECTOR:

Sign Art, Inc., Van Houten Electric Sign, Inc., Townsend Neon, Inc., Mid-Michigan Stamp & Sign, Inc., Amor Sign Studies,

AUCTIONEER:

Avraham Basharel.

SECOND HAND DEALER:

Woody's Second Hand Store.

PUBLIC DRIVERS:

John Bunn, David Lee DeVries, Edward Henry Garvey, Bernard Terrence McCashen, John Clifton Trayler.

Signed:

WILLIAM A. BRENKE,
PAT LINDEMANN,
TERRY J. McKANE,
Committee on General Services.

By COUNCILMAN BRENKE—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

The COMMITTEE ON PUBLIC PROPERTIES AND SAFETY, to whom was referred the request for disposal of Genesee Center, reports as follows:

In concurrence with a recommendation from the Downtown Neighborhood Association, this committee recommends that the

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Genesee Center building be demolished and the property subsequently be maintained as green space. The matter is hereby referred to the Committee on Ways and Means for consideration of a transfer in the amount of $27,000 for the demolition.

Signed:

PAT LINDEMANN,
SIDNEY P. WORTHINGTON,
JAMES D. BLAIR,
Committee on Public Properties and Safety.

By COUNCILMAN LINDEMAN—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

The COMMITTEE ON WAYS AND MEANS, to whom was referred the Bid recommendation for the purchase of an electorstatic imager—Bid No. B-81-485, reports as follows:

It is recommended that the bid submitted by AM International for cost less trade-in totaling $10,911 be accepted for the following reasons: 1. Although the cost less trade-in exceeds by $566 that submitted by the other bidder, the AMI Imager saves the City $2,100 in masters per year. 2. The AMI imager makes 17 copies per minute vs. 6. 3. The AMI unit has automatic feed.

Signed:

TERRY J. McKANE,
WILLIAM A. BRENKE,
JACK D. GUNTHER,
Committee on Ways and Means.

By COUNCILMAN McKANE—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

## REPORTS OF CITY OFFICERS AND BOARDS

April 24, 1981

President Lucile Belen and
Members of the Lansing City Council

Re: Claim of Keith G. Smith in the amount of $78.91

Dear President Belen and Councilmembers:

The above-captioned matter was referred to this office for reinvestigation, review and recommendation, in light of additional information submitted by the claimant in his letter dated March 5, 1981, in regard to his vehicle striking a piece of pavement approximately eight (8) inches in diameter that was protruding in the left-hand lane of South Cedar Street just north of Edgewood Blvd. while his vehicle was traveling southbound on December 6, 1980, at approximately 8:40 p.m.

MCLA 691.1403; MSA 3.996 (103) provides:

"No governmental agency is liable for injuries or damages caused by defective highways unless the governmental agency knew, or in the exercise of reasonable diligence should have known, of the existence of the defect and had a reasonable time to repair the defect before the injury took place. Knowledge of the defect and time to repair the same shall be conclusively presumed when the defect existed so as to be readily apparent to an ordinarily observant person for a period of 30 days or longer before the injury took place."

The Public Service Department informed this office that they received no prior notice of the above defect at the above-mentioned location. Furthermore, the additional facts set forth in the claimant's letter dated March 5, 1981, failed to show that the defect existed and was apparent to an ordinarily observant person for a period of thirty (30) days before the injury took place.

Based on the aforementioned statute, this office concludes that the city had no prior notice of the existence of the alleged defect, nor a reasonable opportunity to remove the same before the alleged incident occurred. Therefore, it is the recommendation of this office that this claim be denied.

Respectfully submitted,

STEPHEN R. SAWYER,
City Attorney.

By COUNCILMAN BRENKE—

That we concur in the recommendation of the City Attorney and said claim be denied.

Carried.

April 24, 1981

President Lucile Belen and
Members of the Lansing City Council

Re: Claim of Andy Powell in the amount of $388.15

Dear President Belen and Councilmembers:

On February 14, 1981, the claimant, while driving his vehicle, was involved in an accident with a Lansing police vehicle being driven by Lansing Police Officer

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Frank Koenigsknecht. Claimant obtained a repair estimate of $388.15. Mr. Powell does not have any collision insurance on his vehicle.

A review of the traffic accident report indicates that while Mr. Powell was proceeding eastbound off the I-496 ramp and approaching the traffic light at the intersection of South Pennsylvania and East Main Street, the traffic light was green for eastbound traffic. Officer Koenigsknecht approached the intersection of South Pennsylvania and East Main Street while proceeding northbound on South Pennsylvania in response to a disorderly call. Officer Koenigsknecht had the overhead lights on, but the siren was not activated. Since the traffic light at the intersection of South Pennsylvania and East Main Street was red for northbound traffic on South Pennsylvania. Officer Koenigsknecht slowed to a rolling stop, and then began to proceed through the intersection. Claimant, proceeding in accordance with the green light, entered the intersection and struck the police vehicle in the left rear side.

MCLA 691.1405; MSA 3.996 (105) states in relevant part that:

"Governmental agencies shall be liable for bodily injury and property damage resulting from the negligent operation by any officer, agent, or employee of the governmental agency, of a motor vehicle of which the governmental agency is the owner. . . ."

Section 19 of Chapter 31 of the Lansing Code of Ordinances provides for an "emergency vehicle" exception to the otherwise required observance of a red traffic signal if the emergency vehicle is operating not only its overhead lights, but also its siren. The facts reveal that, in this particular situation, the siren was not activated when Officer Koenigsknecht proceeded through a red light at the intersection of East Main Street and South Pennsylvania, and, as a result, the police officer received a citation for "failure to yield."

Based upon the application of the facts to the above-stated law, it appears that the city is liable for the damage to the claimant's automobile, and it is the recommendation of this office that Mr. Powell's claim of $388.15 be paid.

Respectfully submitted,

STEPHEN R. SAWYER,
City Attorney.

By COUNCILMAN BRENKE—

That we concur in the recommendation of the City Attorney and the City Clerk be and she is hereby directed to draw a warrant on the City Treasurer in the amount of $388.15 payable to Andy Powell.

Carried.

April 24, 1981

President Lucile Belen and
Members of the Lansing City Council

Re: Claim of Agnes Byndrian in the amount of $76.54

Dear President Belen and
Councilmembers:

Claimant alleges that while leaving Section 12 of the mezzanine at the Lansing Civic Center after a "Holiday on Ice" performance, she slipped on some wet steps and fell, landing on her back and rolling over the tops of five rows of seats. Claimant alleges that she received an injury to her back and rib area, and seeks to recover the amount of $76.54 for the cost of medical expenses incurred as a result of the fall.

Claimant alleges that during intermission of the "Holiday on Ice" performance, the usherette was warning patrons to be careful because of the wet floor. In addition, claimant states that she noticed that the floor was wet, and that it looked as though someone had just mopped the area. Upon inquiry of this office, Darrell Askie, Assistant Manager of the Lansing Civic Center, stated that the wet floor in Section 12 of the mezzanine of the Civic Center could have been caused either by patrons spilling refreshments or by rainy weather conditions.

MCLA 691.1406; MSA 3.996 (106) provides in relevant part:

"Governmental agencies have the obligation to repair and maintain public buildings under their control when open for use by members of the public. Governmental agencies are liable for bodily injury and property damage resulting from a dangerous or defective condition if the governmental agency had actual or constructive knowledge of the defect and, for a reasonable time after acquiring knowledge, failed to remedy the condition or take action reasonably necessary to protect the public against the condition. . . ."

The Civic Center is a public building within the ambit of the above-quoted statute because it exists to benefit the community, and is operated and maintained by the City of Lansing. See **Green** v **State** 30 Mich Apps 648; 186 NW2d 792 (1971). In this particular situation, the dangerous or defective condition is a slippery condition created when the steps in Section 12 of the mezzanine were wet. An employee of the Civic Center, an usherette, knew of the slippery condition which existed because of the wet steps and was attempting to warn patrons. Assuming the correctness of claimant's observation that the wet area had been mopped up, it is clear that the wet-mopping of the steps did not alleviate or remedy the slipperiness of the steps. In addition, it is clear, in this particular situation, that mere verbal warnings did not constitute "action reason-

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ably necessary to protect the public against the condition."

Based upon the application of the above-stated facts to the law, it is the recommendation of this office that the claim of Agnes Byndrian for $76.54 be paid in full settlement of the matter.

Respectfully submitted,

STEPHEN R. SAWYER,
City Attorney.

By COUNCILMAN BRENKE—

That we concur in the recommendation of the City Attorney and the City Clerk be and she is hereby directed to draw a warrant on the City Treasurer in the amount of $76.54 payable to Agnes Byndrian.

Carried.

April 29, 1981

President Belen and Members
of the Lansing City Council

City Hall

Lansing, Michigan 48933

Dear President Belen and
Councilmembers:

The Citizens' Coordinating Council which, as you know, represents all five of the Citizens' District Councils in the city has discussed at great length the possibiity of providing babysitting costs to those members who find it necessary to hire babysitters while they attend district council and coordinating council meetings. This subject was referred to City Council for action in 1978 but because the Community Development Committee Council was abolished in the new Charter no action was ever taken on it. At this time the Coordinating Council would like to recommend once again that a stipend be made available for this purpose. The Coordinating Council has agreed that an amount not to exceed $1.00 an hour for meeting times should be available to those who must pay babysitters. We recognize that there are sever budget limitations in the program and do not want to put an unnecessary burden on the Block Grant funds. However, there are certain members of the Councils who must pay babysitters if they are to attend the meetings. For some, this can become a financial burden. We do not wish their participation to stop because they are unable to afford to attend the meetings. Therefore, we are requesting your concurrence and ask that you pass a resolution authorizing this action. Thank you very much.

Sincerely,

GENE MELLEN,
Chairperson,
Citizens' Coordinating Council.

Referred to Committee on Physical Development and Committee on Ways and Means.

April 29, 1981

Louis Adado, Chairperson

Lansing City Council

City Hall

Lansing, Michigan 48933

Dear Mr. Adado:

The City of Lansing Planning Depart-

The City of Lansing Planning Department's Southeast Area District 9 Citizens' Committee learned at our April 14th meeting of a proposal brought to Lansing City Council to construct a recreational facility on city owned landfill proprty on South Aurelius Road. Since our district (Red Cedar River south to Jolly Road; Pennsylvania Avenue east to city line) would provide much of the automobile access to this site (via I-496 and Dunckel-Jolly Roads, or Aurelius Road), we are keenly concerned that this matter be studied carefully.

Therefore, we urgently request the Lansing City Council to withhold action on any approval of this project until the City Planning Department and the Southeast Area Committee have had time to study the proposal in detail, and submit their recommendations to you.

Please do not interpret this as opposition to or approval of this project. We feel that we have not received adequate information to date to make any judgement. We are anxious that such data be provided to you, to the City Planning Department, and to us, before a decision is made.

Thank you.

Sincerely,

CHARLES R. LANDON, JR.,
Chairman, Southeast Area
District 9 Committee.

Referred to the Committee on Public Property and Safety.

April 29, 1981

President Belen and Members

Lansing City Council

Gentlemen:

Attached is an application for a parade permit from the Emergency Association of Great Lake Educators (EAGLE), scheduled for noon on Thursday, May 7, 1981, which has been approved by all the necessary departments.

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Our personnel estimate this will cost the City a total of $198.39, which represents one sergeant, six officers and seven vehicles for 1.5 hours.

This is being sent to you for final action.

Respectfully yours,

RICHARD A. GLEASON,
Chief of Police.

By COUNCILMAN BRENKE—

That we concur in the recommendation of the Chief of Police and said parade permit be granted.

Carried.

DATE: 4/28/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Building Safety and Development Director Re: Hazardous and Unsanitary Properties—July, 1981 Tax Roll (U-20)

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

By COUNCILMAN LINDEMANN—

That we concur in the recommendation of the Mayor and said assessments be placed on the July assessment roll.

Carried.

DATE: 4/28/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Submission of attached correspondence from the City Controller Re: Administrative Actions

The attached correspondence is submitted for your information.

GERALD W. GRAVES,
Mayor.

Received and placed on file.

DATE: 4/30/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the City Controller Re: Financial Security—Moores Park Development

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

By COUNCILMAN McKANE—

That we concur in the recommendation of the Mayor and said financial security be approved.

Carried.

DATE: 4/30/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Traffic Engineer Re: Request from Lansing School District for Increased Parking on Lenawee Street between Pine and Chestnut Streets

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVBES,
Mayor.

Referred to Committee on Public Property and Safety.

DATE: 4/30/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Public Service Director Re: Marscot Meadows No. 5—Public Improvements—PS 87038

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Physical Development.

DATE: 4/30/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Mayor's Economic Development Advisory Group Re: Triad Investment Request for Establishment of Commercial Redevelopment District

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The attached correspondence is forwarded with my concurrenc for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Economic Development.

DATE: 4/30/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Mayor's Economic Development Advisory Group Re: Request for Establishment of Logan Center Commercial Redevelopment District

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Economic Development.

DATE: 4/30/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Mayor's Economic Development Advisory Group Re: EDC Request for Certification of Project Area, Establishment of Project District Area and Determination of Necessity for Establishing Project Citizens District Council for Airport Realty—Oakland Avenue Project

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referre dto Committee on Economic Development.

DATE: 4/30/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Planning Director

Re: ACT-12-81—Washtenaw Street
ACT- 9-81—Washtenaw and Chelsea Street Vacation

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Public Property and Safety.

## RESOLUTIONS

Bq COMMITTEE OF THE WHOLE—

Resolved by the City Council of the City of Lansing:

Whereas, May 1 through May 7, 1981, has been declared Michigan Spinal Health Care Week by Executive Declaration of the Governor of Michigan; and

Whereas, spinal checks are of vital importance to good posture habits and proper spinal health care in the preservation and maintenance of overall good health; and

Whereas, the Michigan Chiropractic Council has joined with the Governor in urging all citizens to take advantage of this opportunity to learn more about these potential health problems and how to prevent them; and

Whereas, this area of normal health hygiene is most often overlooked even though it can greatly affect the future health of each one of us;

Now, Therefore, Be It Resolved, that the Lansing City Council supports the program of increasing public awareness of this important aspect of good health; and

Be It Finally Resolved that a copy of this resolution be forwarded to Dr. Tim E. Tarry, President of the Michigan Chiropractic Council.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PUBLIC PROPERTIES AND SAFETY—

Whereas, the Mayor has submitted his annual list of board appointments, many of whom are current citizen board members re-appointed for a new four-year term;

Now, Therefore, Be It Resolved, the Lansing City Council hereby confirms the reappointment of the following citizen board members; each for a term to expire June 30, 1985:

CIVIC CENTER BOARD—

Mary Scodellar (1st Ward)

PARKS BOARD—

Michael Mitchell (1st Ward)
Sam Millstein (At-Large)

BOARD OF FIRE COMMISSIONERS—

Russell Sheathelm (1st Ward)
John Lewis (At-Large)

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BOARD OF POLICE COMMISSIONERS—

Paul Treska (1st Ward)
Kenneth Dillingham (At-Large)

TRAFFIC BOARD—

Douglas MacArthur (3rd Ward)
Charles Keep (2nd Ward)

WATERFRONT DEVELOPMENT BOARD—

Lillian Scieska (1st Ward)
Jackie Schraft (At-Large)

Adopted by the following vote:

Unanimously.

By PHYSICAL DEVELOPMENT COMMITTEE—

Resolved by the City Council of the City of Lansing:

Whereas, the City of Lansing is rehabilitating the Northside Neighborhood Development Area No. 3 in cooperation with the Federal government for financial assistance all pursuant to Act 344, Public Acts of 1945, as amended; and

Whereas, the City of Lansing has prepared and adopted in Ordinance No. 469 a Physical Development Plan and a plan for relocating families and individuals who are to be displaced by the rehabilitation of said area; and

Whereas, the City of Lansing, acting by and through its Planning and Redevelopment Departments have consulted with Citizens' District Council No. 3 of Neighborhood Development Area No. 3; and

Whereas, that Council has recommended that the rehabilitation strategy adopted as part of the development plan be amended to acquire and demolish 1403, 1405, 1407, 1411, 1413, 1501, 1505, 1507, 1515, 1517, 1525 Ballard Street and to use the land for a neighborhood activity area.

Whereas, the Planning Board has reviewed and approved the aforementioned recommendation; and

Whereas, this acquisition, demolition and subsequent development will assist the City and residents in renovating this Deteriorated Residential Area and is in compliance with Act 344, Public Acts of 1945 as amended; and

Whereas, the Act requires the City to provide citizens an adequate opportunity to ask questions and express opinions and concerns about modifications to the Physical Development Plan; and

Now, Therefore, Be It Resolved that the Council of the City of Lansing in satisfying the requirements of Act 344, Public Acts of 1945 as amended, schedule a public hearing on June 9, 1981, to consider the acquisition of 1403, 1405, 1407, 1411, 1413, 1501, 1505, 1507, 1515, 1517, 1525 Ballard and the development of that land into a neighborhood activity area.

Adopted by the following vote:

Unanimously.

By ECONOMIC DEVELOPMENT COMMITTEE—

Resolved by the City Council of the City of Lansing:

Whereas, it is necessary to hold a public hearing on the proposed establishment of a Lansing Commercial Redevelopment District, CRD-3-81, 1408 and 1414 E. Michigan Avenue, proposed by Triad Investment Firm, more particularly described as:

PARCEL A

Lot No. 3, Assessors Plat No. 17 in the City of Lansing, Michigan.

PARCEL B

Lot No. 2 of Assessors Plat No. 17 on the Southeast ¼ of Section 15, T4N, R2W, City of Lansing, County of Ingham and State of Michigan, according to the recorded plat thereof as contained in Liber 10 of Plats, Page 20; subject to easements and restrictions of record.

Subject to a Grant of Easement on Lot No. 2, Assessor's Plat No. 17, on the Southeast ¼ of Section 15, T4N, R2W, City of Lansing, Ingham County, Michigan, dated May 14, 1980, described as:

Beginning at the Northeast corner of Lot No. 2, thence West 3.0 feet along the North property line of Lot No. 2, thence South along a line parallel to the East property line of Lot No. 2 for a distance of 30 feet from the North line of Lot No. 2, thence Southeast to a point on the East property line of Lot No. 2, said point being 40 feet South of the North property line of Lot No. 2, thence North 40 feet along the East property line of Lot 2 to the point of beginning.

And, in addition, a Grant of Easement of Lot No. 1, Assessor's Plat No. 17, on the Southeast ¼ Section 15, T4N, R2W, City of Lansing, Ingham County, Michigan, dated May 14, 1980, described as:

Beginning at the Northwest corner of Lot No. 1, thence East 7.5 feet along the North property line of Lot No. 1, thence South along a line parallel to the West property line of Lot No. 1 for a distance of 30 feet from the North line of Lot No. 1, thence West 7.5 feet, thence 30 feet North along the West property line of Lot No. 1 to the point of beginning.

Now, Therefore, Be It Resolved that the City Clerk give at least ten (10) days notice of a public hearing when all persons

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interested may attend and make any objections they may have to such proposed district; and

Be It Further Resolved, that such hearings be held at the Council Chambers in the City Hall on the 26th day of May, 1981, at 7:00 p.m.; and that notice of such hearing be published in a publication of general circulation in said city.

Adopted by the following vote:

Unanimously.

By ECONOMIC DEVELOPMENT COMMITTEE—

Resolved by the City Council of the City of Lansing:

Whereas, it is necessary to hold a public hearing on the proposed establishment of a Lansing Commercial Redevelopment District, CRD-2-81, Logan Center, requested by Robert E. Fryling, Inc., in association with Great Lakes Real Estate Trust, more particularly described as:

Beginning at the South ¼ corner of Section 29, Town 4 North, Range 2 West, Ingham County, Michigan, said corner being on the centerline of Holmes Road, thence East along the South line of Section 29, 1162.1 feet, thence northerly at right angles to the South line of Section 29, 350 feet, thence East parallel to the South line of Section 29, 207.54 feet to the centerline of Logan Street, thence Northerly along the centerline of Logan Street on the arc of a 0 degree 46 minutes curve to the left, 323.95 feet, thence West parallel to the South line of Section 29, 336.76 feet, thence North at right angles to the South line of Section 29, 250 feet, thence East parallel to the South line of Section 29, 322.06 feet to the centerline of Logan Street, thence Northerly along the centerline of Logan Street on the arc of a 0 degree 18 minute curve to the right, 121.72 feet, thence West parallel to the East and West ⅛ line of the Southeast ¼ of Section 29, 1344.58 feet to the East line of Giddings Subdivision, said subdivision line is the North and South ¼ line of Section 29, thence South along the said ¼ line 1140 feet to the point of beginning.

Now, Therefore, Be It Resolved that the City Clerk give at least ten (10) days notice of a public hearing when all persons interested may attend and make any objections they may have to such proposed district; and

Be It Further Resolved, that such hearings be held at the Council Chambers in the City Hall on the 26th day of May, 1981, at 7:30 p.m.; and that notice of such hearing be published in a publication of general circulation in said city.

Adopted by the following vote:

Unanimously.

By COUNCILMAN McKANE—

That resolution No. 5 in regard to the BILD Corporation be referred to the Committee on Physical Development for a report back in one week.

Carried.

## PUBLIC IMPROVEMENT II

By COMMITTEE ON PHYSICAL DEVELOPMENT—

Resolved by the City Council of the City of Lansing:

That the plans and specifications returned by the Department of Public Service in pursuance of the resolution of this Council, Resolution date—4/27/81

P.S. No. 63022

For the construction of a 27-inch interceptor sewer along the Grand River from the end of the existing 27-inch sewer approx. 1000 ft. on easement to serve Glenburne No. 5 Subdivision be received, approved and placed on file.

The Engineer's estimated expense of said improvements are as follows:

Project No. P.S. 63022

| | |
|---|---|
| Intersection and City Contribution | $40,000.00* |
| Assessable to Property Owners | $20,000.00 |
| Total Project Cost | $60,000.00 |

*From Acct. 590-536-608-974

That the Purchasing Director be directed to advertise and let for bid the specifications for said projects as submitted by the Department of Public Service.

That the City Assessor be, and is directed, to make special assessment installment rolls, based upon bids to be received and other related costs of construction, and return same to the City Council.

To be constructed under the Glenburne Sanitary Interceptor Sewer Contract No. P.S. 63022.

I hereby certify that funds are available and encumbered for the City of Lansing's share of said project.

CHARLES S. REMENOR,
Deputy City Controller.

Adopted by the following vote:

Unanimously.

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By WAYS AND MEANS COMMITTEE—

Resolved by the City Council of the City of Lansing:

That the following transfers be approved:

$ 199.00 from General Fund—Estimated Revenue
A/C 101-000-000-160

$ 199.00 to General Fund—Fire Administration Citizen Contribution
A/C 101-337-000-956

$1,100.00 from General Fund Fund Balance
A/C 101-000-000-390

$1,100.00 to Civic Center—Renovation
A/C 101-936-759-976

I hereby certify that this is a properly drawn and eligible transfer.

JAMES W. DOWSETT,
Finance Director.

Approved:

TERRY J. McKANE,
WILLIAM A. BRENKE,
JACK D. GUNTHER,
Committee on Ways and Means.

Adopted by the following vote:

Unanimously.

By COUNCILMAN BRENKE—

Resolved by the City Council of the City of Lansing:

That the rules of the Council be waived for the purpose of presenting items that are not listed on the agenda.

Carried.

Letter from Mary Smith of 1012 Beaujardin.

Received and placed on file.

By COUNCILMAN BRENKE—

Resolved by the City Council of the City of Lansing:

That the request of the Everett Alumni Association for a 24-hour liquor permit for May 9th at the South Washington Armory is hereby approved provided the special 24-hour liquor permit is obtained from the Liquor Control Commission.

Adopted by the following vote:

Unanimously.

## REMARKS BY THE MAYOR'S EXECUTIVE ASSISTANT

No comment.

## REMARKS BY THE CITY COUNCIL

Councilman Worthington spoke relative to Woodlawn Avenue.

By COUNCILMAN GUNTHER—

Resolved by the City Council of the City of Lansing:

That Councilman Adado be excused from the session.

Carried.

Donald Hannah, 1419 Ada, spoke relative CATA bus company taking off busses after 7:00 p.m.—June 1.

By COUNCILMAN BELEN—

That this meeting stand adjourned.

Carried.

Council adjourned at 7:50 p.m.

THEO FULTON,
City Clerk.

Lansing, Michigan

May 4, 1981

F/B

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CITY CLERK'S OFFICE
Room 921, City Hall
Lansing, Michigan 48933

Address Correction Requested

BULK RATE
U. S. POSTAGE
PAID
Permit No. 1461
Lansing, Michigan



# OFFICIAL PROCEEDINGS OF
# THE CITY COUNCIL
## OF THE CITY OF LANSING

## Proceedings, May 11, 1981

CITY COUNCIL ROOMS

Lansing, Michigan

May 11, 1981

The City Council of the City of Lansing, Michigan, met in regular session and was called to order by President Belen.

Present: Councilmen Adado, Belen, Blair, Brenke, Gunther, Lindemann, McKane, Worthington—8.

Absent: None.

The Clerk announced that a quorum of the Council was present.

Invocation was given by Councilman McKane.

Pledge of Allegiance was led by Councilman McKane.

### PUBLIC HEARING

May 11, 1981, at 7:00 o'clock being the time set as the time for holding a public hearing on the proposed City of Lansing Budget including Federal Revenue Sharing, for Fiscal Year 1981-1982.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed budget they had the privilege of speaking at this time.

Jack Flood—regarding budget for Senior Citizens and parking spaces also.

Referred to Committee of the Whole.

**THE PUBLIC MAY NOW ADDRESS THE CITY COUNCIL ON ANY OF THE FOLLOWING ITEMS LISTED ON THE AGENDA: COMMUNICATIONS AN DPETITIONS, COMMITTEE REPORTS, REPORTS OF CITY OFFICERS AND BOARDS AND RESOLUTIONS. YOU MAY SPEAK ONLY FOR 3 MINUTES ON ANY ONE ITEM.**

Resolution 6a and 8b were removed from agenda.

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Chas. Bennett, 2014 W. Lenawee, for A. Philip Randolph Institute, spoke.

Herbert Yamnaishi, 600 Bartlett, spoke on Logan corridor.

Ed. Lewis, 109 W. Maple St., spoke relative drinking fountains in S. Washington Mall.

## COMMUNICATIONS AND PETITIONS

The following applications and bonds have been filed for licenses:

MECHANICAL DEVICE:

Gnio's Bar, Ramon's Restaurant and Lounge, Theio's Restaurant, Hall of Fame and Pinball Pete's.

THEATRE:

Lansing Drive-In Theatre.

CABARET:

Corey's Lounge, Silver Dollar Saloon, Red Rail Bar, Inc., Moriarty's Pub, Long's Restaurant, Quality Inn, Metro-Bowl.

AUTOMOBILE WRECKERS:

Martin Bros. Towing Service, University V.W. & Foreign Car Repair, Bill's Heavy Duty Wrecker Service, Inc., Creditors Protection Service, Rhynard's Truck Sales, Inc., Shroyer's and Central Towing, and Michael L. Hill.

PUBLIC DRIVERS:

James Robert Barnes, Susan Marie Basing, Javier Cavazos, Ricky Lee Holland, Donald Hans Lass, David Wayne Miller, Richard Charles Miller, William Wallace Morrison, Carl Delbert Price, Chris John Reslock, Floyd James Rhynard, George Thomas Yeager.

BUILDING WRECKER:

M. Elvin Childers d/b/a Ace Wrecking Co., Donald H. Scott, Sr., d/b/a Scotts Hauling & Construction.

HEALTH CLUB:

Oak Park, Y.W.C.A.

AUCTIONEER:

Howard Smith, Melvin L. White.

SECOND HAND DEALER:

Norm Smith, d/b/a "The Store."

SIGN ERECTOR:

Johnson Sign Company.

Referred to Committee on General Services.

The following claims have been filed:

Timothy J. Donovan, Attorney for Marion Galloway for injuries sustained due to defective city sidewalk.

Arthur Day requesting reimbursement of money in connection with special assessment placed on properties at 813 W. Lapeer St. and 925 Princeton St.

Referred to Mayor, City Attorney.

Petitions filed for rzoning:

Z-18-81—

Commencing 182 feet West of North ¼ post, Section 10, thence west to C/L Pawlowski Creek Drain, South 11°34' East 336.8 feet to the Northeast corner of Bradford-Scott Park Subd. Southerly along the East line of said Subd. to a point 49.46 feet south of most Northeasterly corner of Lot 3, Northeasterly 56.06 feet to a point 50 feet West of North and South ¼ line, North Parl to ¼ line 634 feet, West 132 feet, North 330 feet to beginning, Section 10, T3N, R2W, City of Lansing, Ingham County, Michigan, from "A" One Family Residential District to "DM-1" Multiple Family Dwelling District—(1224 E. Miller Road).

Z-19-81—

Lots 13, 14, 83, 84, Westmont Subd. of a part of the East ½ of the Northwest fractional ¼ of Section 6, T4N, R2W, City of Lansing, Ingham County, Michigan, from "E-2" Drive-In Shop and "C" Two Family Residential Districts to "F" Commercial District—(4903 N. Grand River Avenue).

Z-20-81—The west 150 feet of Lot 13 and the west 150 feet off the north 32 feet of outlot B, Kraus Acres Subdivision, City of Lansing, Ingham County, Michigan, from "A" One Family Residential District to "C" Two Family Residential District—(6327 Grovenburg Road).

Referred to Mayor, Planning Board.

Petition filed opposing the proposed cul-de-sac on Woodlawn Avenue which would create a dead-end street.

Referred to Mayor, Planning Department, Committee on Physical Development.

The following requests have been filed for closing of streets for block parties:

1100 block of Pershing Drive—May 24, 1981.

3200 block of Stonewood—May 24, 1981.

Referred to Mayor.

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Requests from The Friends of the Zoo Society for permission to have their annual Button Day fund raising event on June 6, 1981.

Referred to Mayor, Committee on General Services.

Invitation from the Michigan Western Wear Centers to a Grand Opening on May 8 to May 17, 1981, at 1010 W. Saginaw Street.

Received and placed on file.

Petition filed by the Downtown Merchants for the installation of at least one drinking fountain per block on the South Washington Mall.

Referred to Mayor, Committee on Public Property and Safety.

Notice from the Michigan Municipal League of the annual Convention to be held in Detroit, on September 9-11, 1981.

Referred to Mayor, All City Council Members, Department Heads.

Department of Natural Resources submits flood plain permit for Roy C. Markey.

Received and placed on file with copy to the Committee on Physical Development.

Department of Commerce—Bureau of the Census submits 1980 Census Update.

Received and palced on file.

## MAYOR'S EXECUTICE ASSISTANT COMMENTS ON ANY ITEM ON THE AGENDA

Mr. Black, Mayor's Executive Assistant, presented resolution on Municipal Clerk's Week.

Spoke relative to tickets in 300 block South Washington Mall.

## REPORTS OF COMMITTEES

The COMMTITEE ON GENERAL SERVICES approves the following applications and bonds for licenses:

MECHANICAL DEVICE:

Gino's Bar, Ramon's Restaurant and Lounge, Theio's Restaurant, Hall of Fame and Pinball Pete's.

THEATRE:

Lansing Drive-In Theatre.

CABARET:

Corey's Lounge, Silver Dollar Saloon, Red Rail Bar, Inc., Moriarty's Pub, Long's Restaurant, Quality Inn, Metro-Bowl.

AUTOMOBILE WRECKERS:

Martin Bros. Towing Service, University V.W. & Foreign Car Repair, Bill's Heavy Duty Wrecker Service, Inc., Creditors Protection Services, Rhynard's Truck Sales, Inc., Shroyer's and Central Towing, and Michael L. Hill.

PUBLIC DRIVERS:

James Robert Barnes, Susan Marie Basing, Javier Cavazos, Ricky Lee Holland, Donald Hans Lass, David Wayne Miller, Richard Charles Miller, William Wallace Morrison, Carl Delbert Price, Chris John Reslock, Floyd James Rhynard, George Thomas Yeager.

BUILDING WRECKER:

M. Elvin Childers, d/b/a Ace Wrecking Co., Donald H. Scott, Sr., d/b/a Scotts Hauling & Construction.

HEALTH CLUB:

Oak Park, Y.W.C.A.

AUCTIONEER:

Howard Smith, Melvin L. White.

SECOND HAND DEALER:

Norm Smith, d/b/a "The Store."

SIGN ERECTOR:

Johnson Sign Company.

Signed:

WILLIAM A. BRENKE,
PAT LINDEMANN,
TERRY J. McKANE,
Committee on General Services.

By COUNCILMAN BRENKE—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

The COMMITTEE ON PUBLIC PROPERTIES AND SAFETY, to whom was referred the ACT-8-81, land use of vacant City-owned parcels along Riddle Street, reports as follows:

The parcels should be retained by the City, as recommended by the Planning Board. The CD program includes a plan

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for preservation and renovation of the area known as Kingsley East. These parcels are located in this area and will be involved in the Kingsley East redevelopment.

Signed:

PAT LINDEMANN,
SIDNEY P. WORTHINGTON,
JAMES D. BLAIR,
Committee on Public Properties and Safety.

By COUNCILMAN LINDEMANN—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

The COMMITTEE ON WAYS AND MEANS, to whom was referred the Bid recommendation for the purchase of Asphalt Material for the Public Service Department —Bid No. B-81-495, reports as follows:

It is recommended, after a thorough bid price-operational cost analysis, that the City accept the second low bidder, Spartan Asphalt, for Alternates 1 and 2 in the amount of $400,478.28 and third low bidder, Rieth-Riley Construction Co., for Alternates 3 and 4 in the amount of $402,365.40 for a total of $802,843.68. The 4 separate Alternates represent the different quadrants the City is broken up into. Analyzing each alternate on the basis of bid prices; added vehicle costs associated with the different distances such as fuel, maintenance, and equipment rental rates; and added manpower costs of the truck drivers, the recommendations to accept the aforementioned bids represents the most efficient use of City resources.

Signed:

TERRY J. McKANE,
WILLIAM A. BRENKE,
JACK D. GUNTHER,
Committee on Ways and Means.

By COUNCILMAN McKANE—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

## REPORTS OF CITY OFFICERS AND BOARDS

April 30, 1981

The Honorable Mayor and City Council
of the City of Lansing, Michigan

Gentlemen:

Submitted herewith are the Financial Statements of the City funds at March 31, 1981, showing the relationship between the estimated and actual revenues of the City's funds at that date.

This report, together with the Budget Status Report, provides the Mayor and City Council with required data relating to the financial condition of the City, exclusive of operations of the Board of Water and Light.

Respectfully submitted,

JAMES W. DOWSETT,
Finance Director,

STEPHEN W. DUARTE,
City Controller.

Rferred to Committee on Ways and Means.

DATE: 5/4/81

TO: President Belen and Members, Lansing City Council

FROM: Police Chief Richard A. Gleason

SUBJECT: Parade Application

Attached is an application for a parade permit from th Delta Sigma Theta Sorority to utilize the sidewalks on Saturday, May 16, 1981, at 10:30, in an effort to raise funds for Sickle Cell Anemia, which has been approved by all the necessary departments.

Our personnel estimate this will cost a total of $74.96, which represents two officers and two vehicles for two hours.

This is being sent to you for final disposition.

By COUNCILMAN ADADO—

That the parade permit be approved, having received the signatures of all the required departments.

Carried.

DATE: 5/4/81

TO: President Belen and Members, Lansing City Council

FROM: Police Chief Richard A. Gleason

SUBJECT: Parade Application

Attached is an application for a parade permit for a 5000 meter run by the Lansing General Hospital, scheduled for 9:00 A.M. on Saturday, June 27, 1981, which has been approved by all the necessary departments.

Our personnel estimate this will cost the City a total of $603.96, which represents 14 officers, two sergeants and 16 vehicles for two hours.

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This is being sent for your final disposition.

By COUNCILMAN ADADO—

That the request for the parade permit be approved, having received the signatures of all the required departments.

Carried.

DATE: 5/4/81

TO: President Belen and Members, Lansing City Council

FROM: Police Chief Richard A. Gleason

SUBJECT: Parade Application

For your final disposition, attached is an application for a parade permit from the Citizens Urging Roll Back (C.U.R.B.) protesting Proposal "A" which is scheduled to begin at 12:30 P.M. on Thursday, May 14, 1981, which has been approved by all the necessary parties. Also attached is a letter from the Honorable Richard D. Fessler, State Representative.

We have estimated this will cost the City a total of $74.96, which represents two officers and two vehicles for two hours.

By COUNCILMAN ADADO—

That the request for the parade permit be approved, having received the signatures of all the required departments.

Carried.

DATE: 5/6/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the City Controller Re: Financial Security—Concord Village No. 5

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

By COUNCILMAN ADADO—

That we concur in the recommendation of the Mayor and said financial security be approved.

Carried.

DATE: 5/6/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor.

SUBJECT: Concurrence with attached correspondence from the Chairman, Lansing Planning Board Re: Southwest Area Comprehensive Plan—1990

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Physical Development.

May 4, 1981

Council President Lucile Belen and Members of the Lansing City Council

10th Floor, City Hall

Lansing, Michigan 48933

Dear Council President and Members:

At the request of City Council, the City of Lansing rebid the Single Ticket Concessionaire item on April 30, 1981. As can be seen in the attached correspondence, only one bid was received on that proposal, and that bid did not meet with the City's specifications. I have concurred in the recommendation of the Purchasing Director and Civic Center Manager and have rejected the bid.

The bid document used at this time was substantially shortened from the bid taken in early 1980. Your Internal Auditor had input in the bid document to make certain that it was clear, concise, and not unwieldly for any potential bidder.

I have directed a request to the Civic Center Board regarding the future of this policy, and have asked the Board to respond to me by its June meeting. It is certainly my judgment that the likelihood of ever attracting a ticket concession operator is extremely small if we are to respect the safeguards that my staff believes necessary for our citizens. Many hundreds of hours of staff time and hundreds of dollars in printing and advertising have been spent on this item. I would ask Council's very serious reflection before any further expenditures be made on this item.

Sincerely,

GERALD W. GRAVES,
Mayor.

Referred to Committee on Public Property and Safety.

May 6, 1981

Council President Lucile Belen and Members of the Lansing City Council

10th Floor, City Hall

Lansing, Michigan 48933

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Dear Council President and Members:

In accordance with the Capital Commons Citizens District Council Ordinance adopted on May 22, 1978, I am submitting to you for your consideration and confirmation, the attached list of names to serve on this Council, which terms expire in June of 1984. Thirteen of the current members consented to serve again; the two new members to the Council are Bill Simpson and Dr. William Harrison.

Trusting these recommendations meet with your approval, I remain

Sincerely,

GERALD W. GRAVES,
Mayor.

Referred to Committee on Physical Development.

May 6, 1981

Council President Belen
and Members of Council

10th Floor, City Hall

Lansing, Michigan 48933

Dear Council President Belen and Council Members:

The City has been negotiating with Conrail for the purchase of the rail right-of-way from East Michigan south to the Grand Trunk tracks. The purchase of the land is for utilization of a proposed hiking/biking path.

A number of the businesses adjacent to the south end of the property have expressed intrest in purchase of portions of the said property for the purpose of expansion. I feel the proper contractual arrangements can be made with these property owners for easement, etc., for the bike path allowing us, the City, to sell certain sections. For this reason, I recommend the purchase of the railroad property for the price of $87,000.

Attached is a proposed resolution for your consideration and concurrence.

Sincerely,

GERALD W. GRAVES,
Mayor, City of Lansing.

Referred to Committee on Public Property and Safety.

May 7, 1981

Council President Lucile Belen and
Members of the Lansing City Council

10th Floor, City Hall

Lansing, Michigan 48933

Dear Council President and Members:

For your consideration and confirmation, I am submitting to you the names of Howard Spence and Gary Weston to serve as Temporary Directors on the Airport Realty-Oakland Avenue Project (Demmer).

These two individuals are currently serving as Temporary Directors on other EDC projects.

Trusting this meets with your approval, I remain

Sincerely,

GERALD W. GRAVES,
Mayor.

Referred to Committee on Economic Development.

DATE: 5/7/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Operations Analyst
Re: Sale of Portion of 910 Drury Lane

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Physical Development.

DATE: 5/7/81

TO: City Council President and Members

FROM: Gerald W. Gravs, Mayor

SUBJECT: Concurrence with attached correspondence from the Planning Director

Re: P-9-79—Keep Meadows No. 2 Subdivision Final Plat

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Physical Development.

DATE: 5/7/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Building Safety

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

and Development Director Re: Revisions to Weights and Measures Ordinance

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on General Services.

## RESOLUTIONS

By COMMITTEE OF THE WHOLE—

Resolved by the City Council of the City of Lansing:

Whereas, there are more than 31.6 million people of all ages, including 250,000 children, who suffer from the severe pain and crippling of arthritis; and

Whereas, in the City of Lansing alone, 18,772 are victims of arthritis, and 176 are children; and

Whereas, the Arthritis Foundation, Michigan Chapter, offers help and hope to victims in Lansing who are fflicted by this devastating disease; and

Whereas, the annual economic impact of arthritis is $8.7 Billion including lost income and medical costs; and

Whereas, although advances in medical science have enabled arthritis victims to receive more effective treatment, over 80% of the arthritis population does not receive medical care; and

Whereas, the Arthritis Foundation, Michigan Chapter, is seeking to improve its medical program by expanding scientific resarch, upgrading treatment facilities and developing new ways to prevent and alleviat arthritis disability;

Now, Therefore, Be It Resolved, the City Council of the City of Lansing hereby proclaims the Month of May 1981 as "Arthritis Month"; and

Be It Further Resolved, all citizens of Lansing are urged to support the public awareness campaign of the Arthritis Foundation, Michigan Chapter, through their participation and volunteer services to accelerate the understanding of our nation's No. 1 crippling disease.

Adopted by the following vote:

Unanimously.

By COUNCILMAN BRENKE—

Resolved by the City Council of the City of Lansing:

That the request of The Ladies Cedars Club of Lansing for a 24-hour liquor permit for May 23rd at the Lansing Armory is hereby approved provided the special 24-hour liquor permit is obtained from the Liquor Control Commission.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON GENERAL SERVICES—

Resolved by the City Council of the City of Lansing:

That the re-appointment of Mr. William Sullivan to the Air Pollution Board is hereby confirmed as recommended by Mayor Graves. Term expires 6/30/85.

Adopted by the following vote:

Unanimously.

By COUNCILMAN BRENKE—

Resolved by the City Council of the City of Lansing:

That the request from Par-Di, Inc., for dropping Thomas J. Parker, Sr., as stockholder in 1980 Class "C" licensed business with Dance-Entertainment Permit through sale of shares to new stockholder Floyd James Houghton be approved inasmuch as they have received the approval of all the required departments.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PUBLIC PROPERTIES AND SAFETY—

Resolved by the City Council of the City of Lansing:

Whereas, from time to time the City of Lansing is requested to temporarily close off one or more of its public streets for activities planned by local residents and organizations; and

Whereas, the City Council recognizes the benefit to the public at large in allowing these activities; and

Whereas, the majority of requests for street closing are routine in nature and may be approved by the Administration provided all policy guidelines for street closings are met;

Now, Therefore, Be It Resolved, the Lansing City Council hereby establishes the following policies for Administrative approval of routine requests for street closings:

1. Each request shall be reviewed and ap-

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proved by the Public Service Director, the Transportation (Traffic) Engineer, the Fire Chief, and the Police Chief.

2. Activities involving minors for which streets are to be closed shall comply with all ordinance provisions regarding the City curfew.

3. No temporary closing shall be allowed on downtown streets within the boundaries of Lenawee Street, Pine Street, Shiawassee Street, and the Grand River on Sundays or other religious holidays prior to 1:00 p.m.

4. Barricades for street closings shall be provided at the expense of the activities' sponsors when:

   a. The sponsoring organizations regularly operate on a for-profit basis,

   OR

   b. The activity charges an admission fee or otherwise produces revenue.

   The City shall provide barricades for traditional block parties and other activities which do not produce revenue.

5. Sponsoring organizations and/or individuals shall ensure sufficient room is provided on closed streets to allow necessary passage of emergency vehicles such as, but not limited to, police cars, fire apparatus, and ambulances.

6. Sponsoring organizations and/or individuals shall comply with all Federal and State laws and City ordinances applicable to their activities.

and

Be It Further Resolved, any rquests for street closings that cannot be approved by the Administration using the above-mentioned policies shall be referred to the City Council for a final decision.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PUBLIC PROPERTIES AND SAFETY—

Resolved by the City Council of the City of Lansing:

ACT-4-81
Ottawa Street at Inverness

Whereas, the Planning Board has reviewed a proposal to realign the Ottawa/Inverness/Verlinden intersection to improve safety and traffic flow while decreasing the potential for driver confusion; and

Whereas, speakers at a public hearing before the Planning Board favored pavement marking as a solution rather than reconstructing the intersection; and

Whereas, the Planning Board and the Mayor have concurred in this recommendation;

Now, Therefore, Be It Resolved, the Lansing City Council hereby approves the following actions for immediate implementation as recommended by the Planning Board:

1. Paint STOP bars at the intersection of both Ottawa and Inverness.

2. Paint a lane divider line on Inverness.

3. Paint an island and pedestrian crossing.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PUBLIC PROPERTIES AND SAFETY—

Resolved by the City Council of the City of Lansing:

ACT-11-81
Buffalo Street Vacation

Whereas, the Planning Board has reviewed a proposal to vacate Buffalo Street right-of-way south of Olds Avenue, since this street stub serves no purpose and dead-ends at the railroad; and

Whereas, the Planning Board has concurred in the proposal and made recommendations to accomplish the vacation;

Now, Therefore, Be It Resolved, the Lansing City Council hereby adopts the following recommendations by the Planning Board:

1. All necessary actions be taken to vacate Buffalo Street right-of-way south of Olds Avenue and deed this property to Industrial Welding, Inc., for no charge, subject to the following conditions:

   A. A utility easement be retained for the Board of Water and Light and the Public Service Department.

   B. Landscaping and screening approved by the Planning Department to be installed by the new owner along the eastern line of the storage yard.

2. A rezoning petition be initiated by the Planning Department to rezone the vacated street right-of-way to "I" Heavy Industrial District.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PUBLIC PROPERTIES AND SAFETY—

Resolved by the City Council of the City of Lansing:

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Whereas, in Mayor Graves' list of annual Board appointments he recommended that Jerry Zimmerman be approved to fill a vacancy on the Civic Center Board.

Whereas, the Committee on Public Properties and Safety interviewed Mr. Zimmerman on May 4, 1981;

Now, Therefore, Be It Resolved, the Lansing City Council hereby approves the appointment of Jerry Zimmerman to the Civic Center Board for a term to expire June 30, 1985.

Adopted by the following vote:

Unanimously.

## PUBLIC IMPROVEMENT V

By COMMITTEE ON PUBLIC PROPERTY AND SAFETY—

Resolved by the City Council of the City of Lansing:

That the supplementary special assessment roll for the purpose of demolishing a rsidential building as per City Council of October 20, 1980:

Assessment Roll No. 41K

(Was) 1025 Beech Street

as returned by the City Assessor be and the same is hereby ratified and confirmed, and the Mayor be and hereby is directed to affix within ten days, his warrant directing the City Treasurer to refund to all persons who have paid said tax as originally assessed the pro rata amount of difference as shown in said supplementary roll, and collect all unpaid tax as shown on said roll on or before August 11, 1981.

Adopted by the following vote:

Unanimously.

By PUBLIC PROPERTIES AND SAFETY COMMITTEE—

Resolved by the City Council of the City of Lansing:

Whereas, the City Council for several years has been in favor of the purchase of the rail right-of-way from East Michigan Avenue south to the Grand Trunk tracks; and,

Whereas, the sales agreement contract has been received from Conrail and it is to be returned in thirty days from the April 15, 1981 date; and,

Whereas, one of the requirements for execution of the contract is a payment of $8,700.00 earnest money, the balance of $78,300.00 to be paid upon delivery of a Deed conveying or quitclaiming Conrail's right, title and interest in the premises; and,

Whereas, some of the other conditions of the contract are that the City will be responsible for removing and storing track and other track material for pickup by Conrail forces, also supplying a survey of the premise and a title report; and,

Whereas, the survey and title work is estimated to be $6,500.00; and,

Now, Therefore, Be It Resolved, that the City Council does approve proceeding with this project and authorizes the Mayor to proceed with all steps that are necessary for implementation.

Adopted by the following vote:

Unanimously.

By COUNCILMAN WORTHINGTON—

Resolved by the City Council of the City of Lansing:

LS-7-81
5000 Stafford

---

Whereas, pursuant to the Lansing Subdivision Regulations, being Chapter 37 of the Code of the City of Lansing, David L. and B. Kathleen Ferrigan have requested that the property commonly known as 5000 Stafford, more particularly described as:

Lot 44 and 45 of Creyt's Acres, City of Lansing, Ingham County, Michigan;

be divided into two (2) parcels of land to be described as:

**Parcel A:** Lot 45 and the south 19 feet of Lot 44, Creyt's Acres, City of Lansing, Ingham County, Michigan.

**Parcel B:** The north 47 feet of Lot 44, Creyt's Acres, City of Lansing, Ingham County, Michigan; and

Whereas, the Planning Board at their meeting of April 21, 1981, recommended that the requested lot division be denied; and

Whereas, the Physical Development Committee of the Council, to whom the report of the Planning Board was referred, did not concur, and recommends that the lot divsiion be approved;

Now, Therefore, Be It Resolved, that the Council of the City of Lansing hereby approves the above described lot division; and

Be It Further Resolved, that the City Clerk be, and she is hereby, directed to notify the petitioners of this action.

Adopted by the following vote:

Unanimously.

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By COUNCILMAN WORTHINGTON—

Resolved by the City Council of the City of Lansing:

P-2-81
Valencia View Subdivision
Preliminary Plat—Tentative Approval

Whereas, Roy Markey has submitted the preliminary plat of Valencia View Subdivision for tentative approval; and

Whereas, the Planning Board held a public hearing on April 7, 1981, at which time opposition was expressed by area citizens; and

Whereas, the Planning Board recommended approval of the tentative plat at their April 21, 1981 meeting, after reviewing several alternatives to the proposed development; and

Whereas, the Physical Development Committee of City Council reviewed the report of the Planning Board and listend to the comments of the petitioner and the residents, and further, reviewed several alternatives, but did not concur with the Planning Board;

Now, Therefore, Be It Resolved, that the Council of the City of Lansing denies the preliminary plat of Valencia View; and

Be It Further Resolved, that this proposed subdivision plat be referred back to the Planning Board for further study and report for the following reasons:

1) The Council believes lotting and street pattern alternatives should be more fully explored.

2) Neighborhood concerns should be reviewed as they relate to the proposed development.

Adopted by the following vote:

Unanimously.

## ZONINGS

By COUNCILMAN WORTHINGTON—

Whereas, it is deemed desirable to amend the Classification provided for in the Zoning Code of the City of Lansing, passed on the 13th day of November, 1958, in the following particulars, viz:

That property described as:

Z-4-81—1900 block Willard Street,

be rezoned from "A" One Family Residential District to "C" Two Family Residential District and the "Map" be changed to indicate such transfer;

Therefore, Be It Resolved, that the City Clerk shall give at least fifteen days notice of a Public Hearing when all persons interested may attend and make any objections they may have to such proposed changes in said Zoning Code.

Resolved Further, that such hearing shall be held at the Council Chamber in the City Hall on the 1st day of June, 1981, at 7:00 o'clock p.m., and that notice of such hearing be published in the official publication of said city, as required by law.

Adopted by the following vote:

Unanimously.

By COUNCILMAN WORTHINGTON—

Whereas, it is deemed desirable to amend the Classification provided for in the Zoning Code of the City of Lansing, passed on the 13th day of November, 1958, in the following particulars, viz:

That property described as:

Z-6-81—737-739-741 N. Larch Street,

be rezoned from "C" Two Family Residential District to "H" Light Industrial District and the "MAP" be changed to indicate such transfer;

Therefore, Be It Resolved, that the City Clerk shall give at last fifteen days notice of a Public Hearing when all persons interested may attend and make any objections they may have to such proposed changes in said Zoning Code.

Resolved Further, that such hearing shall be held at the Council Chamber in the City Hall on the 1st day of June, 1981, at 7:00 o'clock p.m., and that notice of such hearing be published in the official publication of said city, as required by law.

Adopted by the following vote:

Unanimously.

By COUNCILMAN WORTHINGTON —

Whereas, it is deemed desirable to amend the Classification provided for in the Zoning Code of the City of Lansing, passed on the 13th day of November, 1958, in the following particulars, viz:

That property described as:

Z-8-81—801 Hosmer Street,

be rezoned from "C" Two Family Residential District to "F" Commercial District and the "Map" be changed to indicate such transfer;

Therefore, Be It Resolved, that the City Clerk shall give at least fifteen days notice of a Public Hearing when all persons interested may attend and make any objections they may have to such proposed changes in said Zoning Code.

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Resolved Further, that such hearing shall be held at the Council Chamber in the City Hall on the 1st day of June, 1981, at 7:00 o'clock p.m., and that notice of such hearing be published in the official publication of said city, as required by law.

Adopted by the following vote:

Unanimously.

By COUNCILMAN WORTHINGTON—

Whereas, it is deemed desirable to amend the Classification provided for in the Zoning Code of the City of Lansing, passed on the 13th day of November, 1958, in the following particulars, viz:

That property described as:

SUP-4-81—1000 Lincoln Avenue,

to be used as a Day Care Center.

Therefore, Be It Resolved, that the City Clerk shall give at least fifteen days notice of a Public Hearing when all persons interested may attend and make any objections they may have to such proposed changes in said Zoning Code.

Resolved Further, that such hearing shall be held at the Council Chamber in the City Hall on the 1st day of June, 1981, at 7:00 o'clock p.m., and that notice of such hearing be published in the official publication of said city, as required by law.

Adopted by the following vote:

Unanimously.

By ECONOMIC DEVELOPMENT COMMITTEE—

Resolved by the City Council of the City of Lansing:

Whereas, the Lansing City Council has established a Lansing Commercial Redevelopment District CRD-7-80 in the City of Lansing pursuant to Act 255, 1978; and

Whereas, Duncan Investment Corporation on March 5, 1981, submitted an application for a Commercial Facilities Exemption Certificate in said Commercial Redevelopment District CRD-7-80; and

Whereas, a hearing was held on Duncan Investment Corporation's application for a Commercial Facilities Exemption Certificate on April 19, 1981, at which time all interested persons had an opportunity to be heard; and

Whereas, Duncan Investment Corporation commenced construction of the project for which a Commercial Facilities Exemption Certificate is sought on July 8, 1980, and subsequently failed to file an application for the Exemption Certificate within 45 days as required by Section 10 (2) (a) of Act 255, 1978, and has therefore failed to meet the requirements for obtaining an Exemption Certificate;

Now, Therefore, Be It Resolved that the Council of the City of Lansing disapproves the Duncan Investment Corporation application for a Commercial Facilities Exemption Certificate in Lansing Commercial Redevelopment District CRD-7-80.

Adopted by the following vote:

Unanimously.

By ECONOMIC DEVELOPMENT COMMITTEE—

**RESOLUTION APPROVING PROJECT AREA, ESTABLISHING PROJECT DISTRICT AREA AND CONFIRMING APPOINTMENT OF ADDITIONAL DIRECTORS TO THE BOARD OF DIRECTORS OF THE ISSUER**

**(Demmer Engineering Oakland Street Project)**

Minutes of a regular meeting of the City Council of the City of Lansing, Michigan, held at 7:00 o'clock p.m., Michigan Time, on May 11, 1981, at which the following members were present: Councilmen Adado, Belen, Blair, Brenke, Gunther, Lindemann, McKane, Worthington; and the following were absent: None.

The following preamble and resolution were offered by Councilman Adado and supported by Councilman Gunther:

Whereas, the Economic Development Corporations Act, Act No. 338 of the Michigan Public Acts of 1974, as amended (the "Act"), recognizes that there exists in the State of Michigan the need for programs to alleviate and prevent conditions of unemployment, to assist and retain local industries and commercial enterprises, to encourage and assist the location and expansion of such enterprises to provide needed services and facilities to the City of Lansing and its residents to promote the forestry and agricultural sectors of the State's economy, and to encourage the development of facilities designed to produce energy from renewable sources; and

Whereas, the Act provides a means by which these needs may be addressed; and

Whereas, Airport Realty Company, a Michgan partnership (the "Company") has proposed a project (the "Project") to The Economic Development Corporation of the City of Lansing (the "Issuer") which would assist in the alleviation of the aforementioned conditions; and

Whereas, the Issuer, in conformity with the Act, has designated a Project Area and Project District Area for its Project to this City Council for its approval thereof.

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Now, Therefore, Be It Resolved by this City Council of the City of Lansing, as follows:

1. The following Project Area, as designated by the Issuer, is hereby certified as approved:

See Exhibit "A"

2. The territory surrounding said designated Project Area will not be significantly affected by the Project and, therefore, a Project District Area having the same description as the Project Area herein certified as approved is hereby established.

3. Pursuant to Section 20 (b) of the Act, a Project Citizens District Council is not required for the Project and therefore, such a Council shall not be formed.

4. This Council hereby advises and consents to the appointment by the chief executive officer of the City of Lansing of Howard Spense and Gary Weston as additional directors to the Board of Directors of the Issuer, pursuant to Section 4 (2) of the Act, said persons being representatives of neighborhood residents and business interests likely to be affected by the Project.

5. The City Clerk is hereby directed to provide three (3) certified copies of this resolution to the Secretary of the Issuer.

Yeas: Councilmen Adado, Belen, Blair, Brenke, Gunther, Lindemann, McKane, Worthington.

Nays: None.

Abstentions: None.

Resolution declared adopted.

STATE OF MICHIGAN }
COUNTY OF INGHAM } ss.

I hereby certify that the foregoing is a true and complete copy of a resolution adopted at a regular meeting of the City Council of the City of Lansing, County of Ingham, Michigan, held on the 11th day of May, 1981, and that the said minutes are on file in the office of the City Clerk and are available to the public. Public notice of said meeting was given pursuant to and in compliance with Act No. 267, Public Acts of Michigan, 1976.

THEO FULTON,
City Clerk.

**EXHIBIT A**

That part of Lots 7, 8 and 9 of James Seymour's Subdivision, of the SW ¼ of Section 10, T4N, R2W, and Lots 3 to 10, inclusive, and 23 to 36, inclusive, of Sheridan Street Addition, described as follows: Beginning on the West line of Ballard Street (66 feet wide) at a point 345.35 feet South of the South line of Porter Street (66 feet wide); thence N 89°59' W, 223.2 feet parallel with said Porter Street; thence N 57°27' W, 99.0 feet; thence North, 78.45 feet parallel with said Ballard Street to a point 213.45 feet South of the South line of said Porter Street; thence S 89°31' 30" W, 423.95 feet to the East line of the Michigan Central Railroad right of way; thence S. 0°41' E, 338.15 feet more or less on said M.C.R.R. right of way to a point lying 40.0 feet North of the centerline of Sheridan Street (now known as Oakland Avenue) as reconstructed in 1962; thence Easterly 635 feet more or less on a line 40.0 feet Northerly and parallel with said construction centerline of Sheridan Street (now known as Oakland Avenue) as recorded in Liber 818, page 1133, Ingham County Records, to a point 95.1 feet Westerly of the West line of said Ballard Street; thence North 90.7 feet; thence S 89°35' E, 95.1 feet to the West line of said Ballard Street; thence North 181.87 feet on said West line of Ballard Street to the point of beginning, City of Lansing, Ingham County, Michigan.

Adopted by the following vote:

Unanimously.

By COMMITTEE OF THE WHOLE—

Resolved by the City Council of the City of Lansing:

Whereas, the development of the Logan Corridor has been in the planning stages for many years; and

Whereas, the Tri-County Regional Planning Commission, the City of Lansing and many interested persons have been unable to work out a plan for Logan Corridor which is acceptable to all parties; and

Whereas, the possibility of a less drastic improvement plan has been suggested;

Now, Therefore, Be It Resolved, the City Council of the City of Lansing hereby authorizes the administration through its Public Service Department and Program Coordinator's Office and any other appropriate channels, to explore funding possibilities for a Transportation Systems Management Study to identify less costly options for the solution of our Logan Corridor problems.

Adopted by the following vote:

Unanimously.

By COMMITTEE OF THE WHOLE—

Resolved by the City Council of the City of Lansing:

That the reappointments of the following persons to the Board of Review and the

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Board of Water and Light are hereby confirmed as recommended by the Mayor.

Bernice Shetterly
Board of Review—Second Ward
Term Expires 6/30/84

Harold Moore
Board of Review—Fourth Ward
Term Expires 6/30/84

Jack Sebolt
Board of Water and Light—First Ward
Term Expires 6/30/85

Dick Zimmerman
Board of Water and Light—At-Large
Term Expires 6/30/85

Adopted by the following vote:

Unanimously.

By WAYS AND MEANS COMMITTEE—

Resolved by the City Council of the City of Lansing:

That the following transfers be approved:

$ 324.87 from Estimated Revenues
A/C 101-000-000-160

$ 324.87 to Retired Senior Volunteer Program
A/C 101-934-077-969

**Sidewalks—Snow and Ice Removal**

$ 8,268.00 from Wages—Hourly
A/C 101-443-000-706

7,232.00 from Equipment Rental
A/C 101-443-000-943

**Flood Control**

$ 1,422.00 from Equipment Maintenance
A/C 101-445-017-933

**Alleys—Snow Removal**

$ 937.00 from Wages—Hourly
A/C 101-448-000-706

1,012.00 from Equipment Rental
A/C 101-448-000-943

**Public Works—Field Operations**

$14,000.00 from Utilities
A/C 101-442-000-920

**Sidewalk—Repair**

$15,500.00 to Contractual Services
A/C 101-444-602-974

**Flood Control**

$ 955.00 to Wages—Hourly
A/C 101-445-017-706

467.00 to Equipment Rental
A/C 101-445-017-943

**Major Maintenance**

$ 1,949.00 to Alley Resurfacing
A/C 101-452-600-974

**Storm Sewer Maintenance**

$10,000.00 to Wages—Hourly
A/C 101-445-018-706

4,000.00 to Equipment Rental
A/C 101-445-018-943

**Winter Maintenance—Snow Removal—Act 51 Major Street Fund**

$30,000.00 from Wages—Hourly
A/C 202-478-000-706

14,500.00 from Fringe Benefits
A/C 202-478-000-715

70,000.00 from Materials
A/C 202-478-000-782

25,000.00 from Equipment Rental
A/C 202-478-000-943

**Routine Maintenance—Surface Maintenance**

$30,000.00 to Wages—Hourly
A/C 202-464-000-706

14,500.00 to Fringe Benefits
A/C 202-464-000-715

20,000.00 to Materials
A/C 202-464-000-782

25,000.00 to Equipment Rental
A/C 202-464-000-943

**Construction Major Streets**

$50,000.00 to Major Street Resurfacing
A/C 202-452-611-974

**Winter Maintenance—Snow Removal—Act 51 Local Street Fund**

$ 4,300.00 from Wages—Hourly
A/C 203-478-000-706

2,000.00 from Fringe Benefits
A/C 203-478-000-715

9,400.00 from Materials
A/C 203-478-000-782

2,800.00 from Equipment Rental
A/C 203-478-000-943

**Traffic Surveys**

$ 600.00 from Wages—Hourly
A/C 203-483-003-706

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**Routine Maintenance—Surface Maintenance**

$18,500.00 to Equipment Rental
A/C 203-464-000-943

**Traffic Surveys**

$ 600.00 to Salaries
A/C 203-483-003-702

**Snow Removal—Praking System Fund**

$ 1,200.00 from Equipment Rental
A/C 585-549-000-943

**Meter Maintenance**

$ 700.00 to Vehicle Operating Expense
A/C 585-546-000-867

500.00 to Equipment Maintenance
A/C 585-546-000-933

**Sewage Disposal System Fund**

$22,000.00 from Equipment Maintenance
A/C 590-536-000-933

12,000.00 from Chemicals
A/C 590-536-000-743

35,000.00 from Wages—Hourly
A/C 590-536-000-706

$22,000.00 to Operating Supplies
A/C 590-536-000-740

12,000.00 to Misc. & Operating Exp.
A/C 590-536-000-741

8,000.00 to Wages—Hourly
A/C 590-561-000-706

8,200.00 to Equipment Rental
A/C 590-561-000-943

**Sanitary Sewers—Cleaning**

$16,000.00 to Wages—Hourly
A/C 590-562-000-706

2,400.00 to Equipment Rental
A/C 590-562-000-943

**Sanitary Sewers—Repairs**

$ 400.00 to Operating Supplies—Installation Taps & Yees
A/C 590-565-000-740

**Garbage and Rubbish Collection Fund**

$15,000.00 from Vehicles
A/C 596-550-000-985

$ 2,000.00 to Utilities
A/C 596-550-000-920

13,000.00 to Landfill Fees
A/C 596-550-000-929

**Service Garage Fund**

$ 4,500.00 from Utilities—Admin. & General
A/C 640-536-000-920

40,000.00 from Vehicles & Misc. Equip.—New Equip.
A/C 640-970-000-985

**Truck Operations**

$32,000.00 to Operating Supplies
A/C 640-962-000-740

**Tractor Operations**

$ 3,000.00 to Operating Supplies
A/C 640-965-000-740

3,400.00 to Equipment Maintenance
A/C 640-965-000-933

**Traffic Operations**

$ 1,500.00 to Wages—Hourly
A/C 640-969-000-706

500.00 to Fringe Benefits
A/C 640-969-000-715

1,700.00 to Operating Supplies
A/C 640-969-000-740

1,400.00 to Equipment Maintenance
A/C 640-969-000-933

1,000.00 to Operating Supplies—Admin. & Gen.
A/C 640-536-000-740

I hereby certify that this is a properly drawn and eligible transfer.

JAMES W. DOWSETT,
Finance Director.

Approved:

TERRY J. McKANE,
WILLIAM A. BRENKE,
JACK D. GUNTHER,
Committee on Ways and Means.

Adopted by the following vote:

Unanimously.

By COMMITTEE OF THE WHOLE—

Resolved by the City Council of the City of Lansing:

Whereas, Proposal "A" on the special statewide election ballot scheduled for May 19, 1981, would provide a 50 percent cut in property taxes and a 50 percent cut in City income taxes; and

Whereas, revenue losses to local governments caused by these tax cuts would be reimbursed by the State, using revenue from an increase in the sales tax from 4 percent to 5.5 percent; and

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Whereas, Lansing residents have been increasingly supportive of meaningful tax relief;

Now, Therefore, Be It Resolved, the Lansing City Council hereby endorses Proposal "A" as a workable mechanism to provide relief to taxpayers without an undue burden on local governmental units.

Adopted by the following vote:

Unanimously.

**REMARKS BY THE MAYOR'S EXECUTIVE ASSISTANT**

No comment.

**REMARKS BY THE CITY COUNCIL**

By COUNCILMEN GUNTHER—WORTHINGTON—BLAIR—

Resolved by the City Council of the City of Lansing:

That the rules of the Council we waived for the purpose of presenting items that are not listed on the agenda.

Carried.

Letter from the A. Philip Randolph Institute asking for the City of Lansing Support for the Third Annual Black Cultural Festival to be held at Lansing's Riverfront Park.

Referred to the Committee on Public Property and Safety.

Letter from the North Lansing Community Association in regard to the Seventh Annual Fun-Fest to be held June 5, 6, 7, 1981, and asking for several requests to be considered.

Referred to Committee on Public Property and Safety, Mayor, Park Department, Police Department, Traffic Department and Fire Department.

Letter from the Youth Development Corporation submitting the YDC's minor home repair program for FY 80.

Referred to Internal Auditor.

Petition filed in support of Special Use Permit for property at 1226 W. Mt. Hope Avenue.

Referred to Mayor, Planning Board.

DATE: May 11, 1981

TO: Lucile Belen, Council President

FROM: Gerald W. Graves, Mayor

SUBJECT: Request for Clarification

It is my understanding that the City Council has acted to require justification for all City cars prior to July 1, 1981, or they are otherwise deleted. I am not sure what this means. The only cars budgeted are Police patrol; do you want justification for the number and use of patrol cars?

Relative to the unmarked fleet, please clarify what justification you require and what specific information you need. For example, do you want all City cars, or only those that are driven home? Also, if the question is vehicles driven home, do you want justification for pick-ups that are driven home? Other possible questions relative to type of use, hours of use, number of people using vehicle, total mileage, programmatic impact if removed, and alternative vehicles available. As you are aware, there are several complex issues involved and I want to insure that the information you require is clear so that we do not have disagreement over the question.

I will submit all required information through my office and I request that any inquiries you have be directed to me.

GERALD W. GRAVES,
Mayor.

Referred to Committee of the Whole.

Councilman Gunther spoke in regard to the Tri-County Aging program in budget.

Councilman Lindemann spoke in regard to the Great Lake sprints to be held at Francis Park.

John Assiff, 1930 Cooper Avenue, Lansing Police Officer announced his candidacy for Mayor.

George Vasilenkos, 134 Hill Street and William R. Adam, 129 Hill Street, spoke in regard to his dog.

By COUNCILMAN ADADO—

That this meeting stand adjourned.

Carried.

Council adjourned at 8:00 p.m.

THE OFULTON,
City Clerk.

Lansing, Michigan

May 11, 1981

F/B

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CITY CLERK'S OFFICE
Room 921, City Hall
Lansing, Michigan 48933

Address Correction Requested

BULK RATE
U. S. POSTAGE
PAID
Permit No. 1461
Lansing, Michigan



# OFFICIAL PROCEEDINGS OF THE CITY COUNCIL OF THE CITY OF LANSING

## Proceedings, May 18, 1981

### CITY COUNCIL ROOMS

Lansing, Michigan

May 18, 1981

The City Council of the City of Lansing, Michigan, met in regular session and was called to order by President Belen.

Present: Councilmen Adado, Belen, Blair, Brenke, Gunther, Lindemann, McKane, Worthington—8.

Absent: None.

The Clerk announced that a quorum of the Council was present.

Invocation was given by Councilman Gunther.

Pledge of Allegiance was led by Councilman Gunther.

By COUNCILMAN McKANE—

That the council proceedings of April 20 and 27, 1981 be approved.

Carried.

### PUBLIC HEARINGS

May 18, 1981 at 7:00 o'clock being the time set as the time for holding a public hearing on the proposed establishment of a "Tax Increment Financing Authority" and the boundaries of the proposed authority district.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed authority, they had the privilege of speaking at this time.

Geo. Nugent, President, Blue Ribbon Committee, spoke and presented remarks made.

Emerson Ohl, Director of Economic Development, spoke.

Mark Batalagia — Convention Bureau, spoke.

Bill Boettcher, representing Chamber of Commerce, spoke.

Richard McDonald — Lansing Regional Chamber of Commerce, spoke.

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Referred to Committee on Economic Development.

May 18, 1981, at 7:00 o'clock being the time set as the time for holding a public hearing on the proposed transfer of land known as the "100" Block.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed transfer they had the privilege of speaking at this time.

Referred to Committee on Economic Development.

## HEARING ON PROPOSED CHANGE IN ZONING CLASSIFICATION

May 18, 1981, at 7:00 o'clock being the time set as the time for holding a hearing on the proposed changes in the Classifications as provided for in the Zoning Code which was passed by the City Council on November 13, 1958, said proposed amendment being as follows:

That the property described as:

Z-3-81—700 and 800 blocks of Center Street, 403 East Saginaw Street and 700 N. Cedar St.,

be rezoned from "H" Light Industrial, "E" Apartment-Shop, "C" Two Family Residential and "G-2" Wholesale Districts to "G" Business and "J" Parking Districts.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed amendment(s) to the Classifications provided for in the Zoning Code he had the privilege of speaking at this time.

No objections were made to the proposed amendment(s).

Referred to Committee on Physical Development.

By COUNCILMAN LINDEMANN—

Resolved by the City Council of the City of Lansing:

That the rules of the Council be waived for the purpose of presenting the following resolution.

Carried.

By COUNCILMAN LINDEMANN—

Resolved by the City Council of the City of Lansing:

Whereas, the City of Lansing co-sponsored the Second Annual Great Lakes Invitational Sprints, held on the Grand River near Francis Park on Saturday, May 16, 1981; and

Whereas, the Michigan State University Crew Team, which originated this event last year, worked with the City and the Lansing Jaycees to put together a day of enjoyment for race participants and spectators alike; and

Whereas, the MSU rowing crew, making the most of a "home river advantage," won seven of eleven races held, adding to the excitement of local fans;

Now, Therefore, Be It Resolved the Lansing City Council hereby commends the MSU Crew Team for fostering an event that combines a sporting use and recreational use of the Lansing river system; and

Be It Further Resolved the MSU Crew Team is hereby congratulated for an outstanding performance in Saturday's races.

Adopted by the following vote:

Unanimously.

**THE PUBLIC MAY NOW ADDRESS THE CITY COUNCIL ON ANY OF THE FOLLOWING ITEMS LISTED ON THE AGENDA: COMMUNICATIONS AND PETITIONS, COMMITEE REPORTS, REPORTS OF CITY OFFICERS AND BOARDS, AND RESOLUTIONS. YOU MAY SPEAK ONLY FOR 3 MINUTES ON ANY ONE ITEM.**

Under Communications and Petitions, No. 12 removed.

Richard Baker spoke re: resolution 8c—Capitol Commons.

Robert Hull spoke re: Fire Dept. manpower for No. 8 Station on Marshall St.

Joel Ferguson, E.J.S. Developer, spoke.

## COMMUNICATIONS AND PETITIONS

The following applications and bonds have been filed for licenses:

PUBLIC DRIVERS —
Charles Andrew Mitchell, Steven J. Nehf, Ernest Robert Langdon, Jack Eugene Coppens, Sr., Robert James Spurbeck.

THEATRE —
Cinema X Theatre.

MECHANICAL AMUSEMENT DEVICE —
Cedarway Lanes, Capitol News, Mac's Saloon, Meijer Thrifty Acres.

CABARET LICENSE —
Frenchies Bar & Rest., Holiday Inn South, Bonnie & Clyde's, The Garage Bar, Ramada Inn.

Referred to Committee on General Services.

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Capitol Consultants, Inc., submits preliminary plat of Jaymar Park No. 1.

Referred to Mayor, Planning Board.

Marvin F. Fouty submits preliminary plat for Sky View.

Referred to Mayor, Planning Board.

Summons filed in Circuit Court by Ruth L. Neerick vs. City of Lansing and Donald E. Reynolds for injuries sustained due to falling over a clear plastic cover that was on the floor of the City Hall Lobby.

Referred to Mayor, City Attorney.

The following claims have been filed:

Mark Jones, submitting bill that was presented to him by Lansing Mercy Ambulance Service, Inc., for transportation to Ingham Medical Hospital.

Thomas Dunneback, for damage to clothing due to spray painting at the Grounds Operation Department Shop.

John W. Bissell, Attorney for Donald Krauss, Brenda Krauss and Jerrod Kraus, for injuries received due to automobile accident with a Lansing Police Department vehicle.

Referred to Mayor, City Attorney.

Petitions filed for rezoning:

Z-21-81 —

Lots 29 and 30 except the south 7 feet thereof, Metlin Addition, City of Lansing, Ingham County, Michigan, from "C" Two Family Residential District to "F" Commercial District — (1035 E. Saginaw St.).

Referred to Mayor, Planning Board.

Petition filed by residents on 1700 block of Herbert St. asking that this street be closed on May 30, 1981 for block party.

Referred to Mayor.

Request from Cristo Rey Community Center for two 24-hour liquor permits for June 6-7, 1981, in connection with the annual "Holiday in Mexico Fiesta" at Marshall St. Armory.

Referred to Mayor, Committee on General Services.

Request from the Federated Polish Home for permission to sell beer at the Ethnic Festival July 3 and 4, 1981.

Referred to Mayor.

Jackson National Life Insurance Company submits an application for a Commercial Redevelopment District to be located on Executive Drive.

Referred to Mayor, Economic Development Corporation and Committee on Economic Development.

David D. Thurmon, representing the Washington Square Office Partners, submits application for a Commercial Redevelopment District.

Referred to Mayor, Economic Development Corporation and Committee on Economic Development.

Notice from Impressions 5 Museum of summer exhibit to be held June-September, 1981.

Referred to Mayor.

Resolution submitted by the Commission of the City of Battle Creek objecting to the possible curtailment of Amtrak Service to Battle Creek.

Referred to Mayor, Committee of the Whole.

Notice from Bruce Moore, Coordinator of Industrial Pretreatment Program of a seminar to be held June 9, 10, 11, 1981.

Referred to Mayor.

Request from General Motors Corporation to encroach on City of Lansing property in connection with the paint shop and train shed addition for Fisher Body Division.

Referred to Mayor, Committee on Public Property and Safety.

Letter sent to Director of Parks and Recreation requesting that the Pow-Wow to be held at Grand Woods Park on May 29-31, 1981 be denied.

Referred to Mayor.

Letter from Orrin E. Sharp relative pending matters directed to the City Council and comments.

Referred to Mayor, Housing Commission.

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**MAYOR'S EXECUTIVE ASSISTANT COMMENTS ON ANY ITEM ON THE AGENDA:**

No comment.

## REPORTS OF COMMITTEES

The COMMITTEE ON GENERAL SERVICES approves the following applications and bonds for licenses:

PUBLIC DRIVERS —
Charles Andres Mitchell, Steven J. Nehf, Ernest Robert Langdon, Jack Eugene Coppens, Sr., Robert James Spurbeck.

THEATRE —
Cinema X Theatre.

MECHANICAL AMUSEMENT DEVICE —
Cedarway Lanes, Capitol News, Mac's Saloon, Meijer Thrifty Acres.

CABARET LICENSE —
Frenchies Bar & Rest., Holiday Inn South, Bonnie & Clyde's, The Garage Bar, Ramada Inn.

Signed:

WILLIAM A. BRENKE,
PAT LINDEMANN,
TERRY J. McKANE,
Committee on General Services.

By COUNCILMAN BRENKE—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

The COMMITTEE ON PHYSICAL DEVELOPMENT, to whom was referred the ordinance of the City of Lansing providing that Chapter 36, Article XIV of the Code be amended by adding a new section to be numbered 36-116 to provide for an amendment to the amended Physical Development Plan for Neighborhood Development Area No. 3 within the City of Lansing for the acquisition of properties at 1535 and 1558 North High Street, reports as follows:

That said ordinance be passed.

Signed:

SIDNEY P. WORTHINGTON,
LUCILE BELEN,
WILLIAM A. BRENKE,
Committee on Physical Development.

By COUNCILMAN WORTHINGTON—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

The COMMITTEE ON PUBLIC PROPERTIES AND SAFETY, to whom was referred the request for addiitonal parking availability for visitors to the Lansing Senior Center, reports as follows:

The Traffic Engineer is requested to conduct a parking utilization study of the Senior Center lot, using time-lapse photography equipment, over a one-week period. Using the results of this study, to be reported back within three weeks, the Council will determine the best course of action to resolve this issue.

Signed:

PAT LINDEMANN,
SIDNEY P. WORTHINGTON,
JAMES D. BLAIR,
Committee on Public Properties and Safety.

By COUNCILMAN LINDEMANN—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

The COMMITTEE ON PUBLIC PROPERBTIES AND SAFETY, to whom was referred the issue of a rent increase for Min-A-Mart Store in the North Capitol Avenue Ramp, reports as follows:

This matter is referred back to the Administration for negotiation or arbitration of the rent amount.

Signed:

PAT LINDEMANN,
SIDNEY P. WORTHINGTON,
JAMES D. BLAIR,
Committee on Public Properties and Safety.

By COUNCILMAN LINDEMANN—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

The COMMITTEE ON WAYS AND MEANS, to whom was referred the request from the Citizens' Coordinating Council for reimbursement of babysitting expenses due to meeting attendance, reports as follows:

The request is denied. The City currently reimburses citizen board members for actual and necessary expenses related to out-of-town travel on City business. But regular meeting attendance is a basic aspect of membership on a citizen board and member, by Charter, serve without compensation. It is suggested that board members needing baby-sitting services for meeting attendance

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purposes explore cooperative arrangements within their neighborhood.

Signed:

TERRY J. McKANE,
WILLIAM A. BRENKE,
JACK D. GUNTHER,
Committee on Ways and Means.

By COUNCILMAN McKANE—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

## REPORTS OF CITY OFFICERS AND BOARDS

DATE: 5-12-81

TO: President Belen and Members, Lansing City Council

FROM: Police Chief Richard A. Gleason

SUBJECT: Parade application — Mayor's Parade Committee.

Attached is an application for a parade permit from the Mayor's Parade Committee scheduled for 10:00 A.M. on Saturday, May 23, 1981, which has been approved by all the necessary departments.

We estimate this will cost the City a total of $367.04 which represents one sergeant, 12 officers and 13 vehicles for 1.5 hours.

This is being forwarded to you for final disposition.

By COUNCILMAN BRENKE—

That we concur in the recommendation of the Chief of Police and said parade permit be granted—this having received the signatures of all the required departments.

Carried.

DATE: 5-12-81

TO: President Belen and Members, Lansing City Council

FROM: Richard A. Gleason, Police Chief

SUBJECT: Parade application — MSU Students for Reproductive Freedom.

Attached is an application for a parade permit from the above-mentioned organization, scheduled to leave East Lansing at 10:45 A.M. on Wednesday, May 20, 1981, terminating at the Capitol Building, which has been approved by all the necessary departments.

We estimate this will cost the City of total of $301.98, which represents one sergeant, seven officers and eight vehicles for two hours.

This is being sent for final approval.

By COUNCILMAN BRENKE—

That we concur in the recommendation of the Chief of Police and said parade permit be approved having received the signatures of all the required departments.

Carried.

May 14, 1981

Mayor Gerald W. Graves,

Council President Lucile Belen, and City Council Members

Re: Capitol Park Restaurant & Lounge EDC Project

Dear Mayor Graves and

City Council Members:

We are forwarding to you a Resolution and Project Plan approved by the Lansing Economic Development Corporation Board of Directors of action taken at a regular meeting held on May 13, 1981, recommending that the City Council approve the Project Plan.

Sincerely yours,

EMERSON B. OHL,
Executive Director.

Referred to Committee on Economic Development.

Lansing, Michigan

May 6, 1981

The Honorable Mayor Gerald W. Graves

City Hall

City of Lansing, Michigan 48933

Dear Mayor Graves:

The Planning Department was directed by President Belen during the City Council meeting on Monday, May 4, 1981, to forward the attached amendment to the Citizens' District Council No. 3.

In accordance with Public Act 344, the Citizens' District Council has been notified of the proposed Amendment to the NDA No. 3 Plan. The amendment contains provisions for the acquisition and demolition of 1535 N. High Street and 1558 N. High Street due to the critical condition of the structures and the high cost to rehabilitate them.

The Citizen's District Council remains in agreement that the two residential structures should be acquired and demolished.

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Sincerely,

LARRY L. PARKER,
Chairman,
Citizens' District Council No. 3.

Referred to Committee on Physical Development.

May 1, 1981

Council President Belen
and Honorable Members of Council

City Hall

Lansing, Michigan

Dear Lady and Gentlemen:

Subject: Vacation of East Ionia Street

City Council at its July 21, 1980 meeting adopted a resolution (copy attached) recommended by the Physical Development Committee concerning the vacation of East Ionia Street between Grand Avenue and the Grand River.

The vacation of this portion of Ionia Street was initiated at the request of one of the abutting property owners, namely, Stackable and Boone. It was recommended by the Planning Commission and not opposed by the Lansing Board of Water and Light.

That portion of Ionia Street being vacated deadends at the Grand River and thus requires approval of the Circuit Court. The resolution adopted by City Council (a) sets forth how the vacated right-of-way was to be conveyed to adjacent property owners and (b) made Stackable and Boone, a Michigan co-partnership, responsible for filing the request for vacation with the Circuit Court.

As of this date, Stackable and Boone have not, as required by Council's resolution, filed a request with the Circuit Court regarding vacation of East Ionia Street. They indicate they do not intend to do so unless the Board of Water and Light agrees to lease them the amount of space they deem necessary for parking. Several meetings have been held with Stackable and Boone to resolve this parking issue without success.

The Board at its April 14, 1981 meeting, based on recommendations of its legal counsel and staff, adopted the following motion:

By Board Member Jessop

Seconded by Board Member Hassler

The Board requests City Council to introduce a resolution to vacate that portion of the 200 block of East Ionia Street right-of-way from the east line of Grand Avenue easterly to a line eighty-two and one-half feet (82.5 feet) west of the west bank of the Grand River, without Circuit Court approval.

Adopted unanimously.

While it might have been desirable to vacate East Ionia Street all the way to the Grand River, it is not absolutely necessary at this time to solve the needs of abutting property owners. Thus, the Board's motion requests City Council to vacate this street to within only 82.5 feet of the Grand River. This will eliminate the need to obtain Circuit Court approval. We believe vacating this much of East Ionia will eliminate any cloud on the title of Stackable-Boone property resulting from their building protruding into the street right-of-way, straighten out property ownership rights, and permit the Board to fully utilize its property.

Attached for Council consideration is a suggested resolution in this matter. If any additional information is necessary to permit Council to consider the Board's request, please advise.

Respectfully submitted,

E. F. BRUSH,
General Manager.

Referred to Committee of the Whole.

May 8, 1981

Council President Lucile Belen and
Members of the Lansing City Council

10th Floor, City Hall

Lansing, Michigan 48933

Dear Council President and Members:

Attached please find a copy of a communication received from Pamela Thielke, Chairperson, Citizens' District Council No. 2, regarding Council member Phillis Zivic, which is self-explanatory.

In accordance with the Bylaws of the CDC, the position of Ms. Zivic is hereby declared vacant.

Sincerely,

GERALD W. GRAVES,
Mayor.

Received and place don file.

DATE: 5/8/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Director, Building Safety and Development. Re: Trash Removal Assessment.

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

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By COUNCILMAN LINDEMANN—

That we concur in the recommendation of the Mayor and said assessment be placed on the assessment roll.

Carried.

May 14, 1981

Council President Lucile Belen and
Members of the Lansing City Council

10th Floor, City Hall

Lansing, Michigan 48933

Dear Council President and Members:

This communication is being sent to correct an error made in the Annual Board Appointment letter dated April 16, 1981. The term of Lillian Scieszka, a member of the Waterfront Development Board, does not expire in June of 1981, therefore, her name should not have been included in the re-appointments. However, the term of Millie Caesar does expire in June of 1981. I am recommending that she be re-appointed to the Board, term expiring in June of 1985.

Trusting this recommendation meets with your approval, I remain

Sincerely,

GERALD W. GRAVES,
Mayor.

Referred to Committee on Public Property and Safety.

DATE: 5/14/81

TO: Honorable Council President and Members of the Lansing City Council

FROM: Gerald W. Graves, Mayor

SUBJECT: Correspondence from Public Service Director re: Solid Waste Agreements.

The attached is forwarded for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Physical Development.

DATE: 5/18/81

TO: Council President and Members of the Lansing City Council

FROM: Gerald W. Graves, Mayor

SUBJECT: Communication from Traffic Engineer regarding request from Oldsmobile for "No Left Turn" from northbound Logan Street to Olds Avenue between 2:00 p.m. and 4:00 p.m.

The attached is forwarded for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Public Property and Safety.

DATE: 5/14/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Traffic Engineer. Re: Request for parking spaces for motorcycles in South Capitol Ramp.

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Public Property and Safety.

DATE: 5/14/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Traffic Engineer. Re: "No Parking-Passenger Load Zone" at 220 Allen Street.

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Public Property and Safety.

DATE: 5/14/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Traffic Engineer. Re: Request from Michigan Department of Transportation to update Traffic Code speed limits on Logan Street between Kalamazoo and south City limits.

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Public Property and Safety.

DATE: 5/14/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

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SUBJECT: Concurrence with attached correspondence from the Traffic Engineer. Re: Request for prohibition of parking on east side of N. High Street.

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Public Property and Safety.

DATE: 5/14/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Traffic Engineer. Re: Request by CDC No. 4 for left turn phasing at the intersection of Cedar and Mt. Hope.

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Public Property and Safety.

## RESOLUTIONS

By COMMITTEE ON HUMAN SERVICES—

Resolved by the City Council of the City of Lansing:

Whereas, the Mayor has submitted his list of annual board appointments; and

Whereas, the list contained names to be confirmed by the Committee on Human Services; and

Whereas, the Committee interviewed these candidates on Thursday, May 14, 1981;

Now, Therefore, Be It Resolved the City Council of the City of Lansing hereby approves the appointment of the following:

**Human Relations Commission**
David W. Finnerty —
Term exires June 30, 1985

**Human Resources Advisory Board**
Gary Cunningham —
Term expires June 30, 1985

Randy Watkins —
Term expires June 30, 1983

**Tri-County Senior Citizens**
Don Smith —
Term expires June 30, 1982

**Senior Citizens Advisory Board**
Thomelia Roper —
Term expires on June 30, 1984

Adopted by the following vote:

Unanimously.

By PHYSICAL DEVELOPMENT COMMITTEE—

Resolved by the City Council of the City of Lansing:

Whereas, the Mayor has presented his list of annual appointments to the various city boards for council approval, and

Whereas, the Physical Development Committee has interviewed those persons who are new appointments and has expressed satisfaction with those individauls being reappointed,

Now, Therefore, Be It Resolved, the Lansing City Council hereby approves and confirms the appointments of the following persons to the city boards listed below:

**Board of Building Appeals —**

**Terms Expires June 30, 1985**
General Contractor Representative—
Frank L. Throop*

**Board of Zoning Appeals —**
**Terms Expires June 30, 1985**
1st Ward —
Arthur Trierweiler*

At Large —
Elizabeth McGinnis*

**Board of Electrical Examiners —**
**Terms Expires June 30, 1985**
Contractor —
Howard Lutz*

Citizen —
Keith Norris*

**Board of Mechanical Construction Examiners —**
**Terms Expires June 30, 1985**
Citizen —
Melvin Dravenstatt*

**Planning Board —**
**Terms Expires June 30, 1985**
4th Ward —
Virgil Langworthy*

3rd Ward —
Ed Remick*

**Plumbing Board —**
**Terms Expire June 30, 1985**
Journeyman —
Joseph Delaney*

Citizen —
Bill Hettiger

**Public Service Board —**
**Terms Expire June 30, 1985**
At Large —
Budd Rutter*

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**Housing and Redevelopment Advisory Board —**
**Terms Expires June 30, 1985**
1st Ward —
Irving Shaw*

At Large —
Fred Capalongo*

*Re-appointment.

Adopted by the following vote:

Unanimously.

By GENERAL SERVICES COMMITTEE—

Resolved by the City Council of the City of Lansing:

Whereas the Mayor has recommended the appointment of Mary Lou Strisar to the Air Pollution Board, and

Whereas Mary Lou Strisar has been interviewed by the Council Committee on General Services, now

Therefore Be It Resolved, the City Council of the City of Lansing hereby approves and confirms the appointment of Mary Lou Strisar to the Air Pollution Board for a term to expire June 30, 1985.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PUBLIC PROPERTIES AND SAFETY—

Resolved by the City Council of the City of Lansing:

Whereas, the Lansing School District has requested that the City establish more on-street parking spaces on Lenawee Street between Pine and Chestnut Streets; and

Whereas, the Public Service Department has determined that 13 parallel parking spaces can be added in this area by widening Lenawee Street seven (7) feet to the north, at a cost of $8,500; and

Whereas, the School District, by letter dated April 20, 1981, has agreed to pay the cost of the street widening; and

Whereas, the Traffic Board has recommended that this project proceed based on the School District's commitment to pay for it;

Now, Therefore, Be It Resolved the Lansing City Council hereby approves the widening of Lenawee Street at School District expense to provide 13 parallel parking spaces between Pine Street and Chestnut Street, such parking to be regulated by a two-hour time zone.

Adopted by the following vote:

Unanimously.

By ECONOMIC DEVELOPMENT COMMITTEE—

RESOLUTION SETTING HEARING DATE
(Capitol Park Restaurant and Lounge Project)

Minutes of a regular meeting of the City Council of the City of Lansing, County of Ingham, Michigan, held at 7:00 o'clock, p.m., Michigan Time, on May 18, 1981, at which the following members were present:

Councilman Adado, Brenke, Belen, Blair, Gunther, Lindemann, McKane, Worthington;

and the following were absent:

None.

The following preamble and resolution were offered by Councilman Adado and supported by Councilman Gunther:

Whereas, this City Council has heretofore approved a Project Area and established a Project District Area for the Capitol Park Restaurant and Lounge Project (the "Project") of The Economic Development Corporation of the City of Lansing (the "Issuer") and

Whereas, this City Council has received a Project Plan for said Project and wishes to set a date for a public hearing thereon.

Now, Therefore, Be It Resolved by the City Council of the City of Lansing, as follows:

1. A public hearing upon the Project Plan for said Project shall be held at 7:00 o'clock, p.m., Michigan Time, on the 1st day of June, 1981, in the City Council Chambers, 10th Floor of the City Hall, in the City of Lansing, County of Ingham, Michigan. At such hearing, the City Council of the City of Lansing shall provide an opportunity for interested persons to be heard and shall receive and consider communications in writing with reference to the hearing. The hearing shall provide the fullest opportunity for the expression of opinion, for argument on the merits, and for introduction of documentary evidence pertinent to the Project Plan. The governing body shall make and preserve a record of the public hearing, including all data presented thereat.

2. The City Clerk is hereby directed to publish, post, and mail notice of such hearing, such notice to be substantially in the form attached hereto, in accordance with Section 17 of Public Act No. 338 of the Michigan Public Acts of 1974, as amended.

3. The City Clerk is hereby directed to forward three (3) certified copies of this resolution to the Secretary of the Issuer.

4. All resolution or parts thereof in conflict with this resolution are hereby repealed, but only to the extent of such conflict.

Yeas: Councilmen Adado, Belen, Brenke, Blair, Gunther, McKane, Lindemann, Worthington.

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

Nays: None.

Abstentions: None.

Resolution declared adopted.

STATE OF MICHIGAN )
) ss.
COUNTY OF INGHAM )

I hereby certify that the foregoing is a true and complete copy of a resolution adopted at a regular meeting of the City Council of the City of Lansing, County of Ingham, Michigan, held on the 18th day of May, 1981, and that the said minutes are on file in the office of the City Clerk and are available to the public. Public notice of said meeting was given pursuant to and in compliance with Act No. 267, Public Acts of Michigan, 1976.

THEO FULTON,
City Clerk.

Adopted by the following vote:

Unanimously.

By BOARD OF WATER AND LIGHT LIAISON COMMITTEE—

Resolved by the City Council of the City of Lansing:

Whereas, the Board of Water and Light has requested approval of the hiring of a full time staff attorney to assist it with its legal affairs; and

Whereas, it appears that there is a need for such assistance; and

Whereas, the City Attorney has recommended that the request be approved;

Now, Therefore, Be It Resolved that the Lansing City Council authorizes the hiring by the Board of Water and Light of a full time staff attorney to be designated as Special Assistant City Attorney for the Board of Water and Light, at a rate of pay and and with additional benefits to be determined and provided by the Board of Water and Light; and

Be It Further Resolved that this authorization is conditioned upon agreement that any such attorney shall not issue opinions interpreting the Lansing City Charter or its Code of Ordinances without first consulting with and obtaining the approval of the Lansing City Attorney; and

Be It Further Resolved that the appointment to fill the staff attorney position shall be made by the Board of Water and Light or its agents with the advice and consent of the Lansing City Attorney; and

Be It Further Resolved that the authorization for Dickenson, Wright, McKean, Cudlip and Moon to act as bond counsel for the Board of Water and Light is continued; and

Be It Finally Resolved that the Lansing City Council authorizes the retention and use of Mr. Joseph Lavey to provide legal services necessary to complete all legal matters and litigation currently assigned to him.

By COUNCILMAN LINDEMANN—

That the resolution be amended as follows:

That in the last paragraph after the word "necessary" insert the following "to assist in the transition to a full time staff attorney and".

Carried.

The resolution as amended was adopted by the following vote:

Unanimously.

By COMMITTEE ON WAYS AND MEANS—

Resolved by the City Council of the City of Lansing:

Whereas, the City is involved in a Public Service Employment Program funded under Title IID of CETA, and

Whereas, President Reagan's economic plan for the Nation includes the phase-out of CETA Public Service Employment programs by the end of the current fiscal year and the U.S. Department of Labor in consonance with the President's plan has ordered a 32 per cent recision of the current CETA Title VI allocation and a 39 per cent deferral of the current CETA Title IID allocation, and

Whereas, the Lansing Tri-County Regional Manpower Consortium has reported the City's revised CETA Title IID allocation (excluding the Administrative Cost Pool) to be $970,794 for fiscal year 1981, a reduction of $601,177 from the original allocation of $1,571,971;

Now, Therefore Be It Resolved, that the CETA Title IID agreement between the City and the Lansing Tri-County Regional Manpower Consortium, Contract No. 1200, be amended to reduce the total funding amount to $970,794, with the effective date of the amendment retroactive to May 1, 1981, and

Be It Further Resolved, that the Title IID allocations to the various agencies under sub-contracts with the City of Lansing be amended as necessary.

Adopted by the following vote:

Unanimously.

By WAYS AND MEANS COMMITTEE—

Resolved by the City Council of the City of Lansing:

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

Whereas, the City of Lansing currently owns property commonly known as the Genesee Center, located on the northwest corner of the Genesee St./Butler Blvd. intersection; and

Whereas, the Administration has proposed disposal of this property; and

Whereas, the Downtown Neighborhood Association has recommended that the Genesee Center structure be demolished by the City, and that the site be maintained by the City as a green space; and

Whereas, the Administration has estimated that demolition of the structure would cost $27,000 and annual maintenance costs of green space on the cleared site would be $1,950; and

Whereas, the fiscal resources of the City forecast through the end of the current fiscal year and into next year do not permit this level of expenditure for a low-priority discretionary project;

Now, Therefore, Be It Resolved, the Lansing City Council hereby determines that demolition of the Genesee Center structure now is not in the best financial interest of the City, and authorizes the Administration to explore other options, including sale of the property.

By COUNCILMAN McKANE—

That this resolution be tabled for two weeks.

Carried.

By COMMITTEE OF THE WHOLE—

Resolved by the City Council of the City of Lansing:

Whereas, the City of Lansing has requested quotations from several Certified Public Accounting firms on the City's annual audit for the fiscal years ending June 30, 1981, June 30, 1982 and June 30, 1983, and

Whereas, the Committee of the Whole has reviewed the recommendations of the City Controller, and

Whereas, the firm of Maner, Costerisan & Ellis, P.C. has submitted the lowest three year quotation of cost in an amount not to exceed $79,560.00, and

Therefore Be It Resolved, that the Mayor and City Clerk be authorized to sign a three year agreement upon certification as to the availability of funds by the City controller and after approval as to form by the City Attorney.

Adopted by the following vote:

Unanimously.

By COMMITTEE OF THE WHOLE—

Resolved by the City Council of the City of Lansing:

Whereas, the Board of Water and Light has requested the vacation of a portion of the 200 block of East Ionia Street, between North Grand Avenue and the Grand River, more particularly described as:

that portion of the 200 block East Ionia Street right-of-way from the east line of Grand Avenue easterly to a line eighty-two and one-half (82.5 feet) feet west of the west bank of the Grand River, and

Whereas, the City Council approved the vacation of Ionia Street right-of-way from Grand Avenue to the Grand River on July 21, 1980, as requested by Stackable and Boone, a Michigan copartnership, and, upon recommendations of the Planning Board and the committee on Physical Development with the stipulation that Stackable and Boone file the request for vacation with the Circuit Court; and

Whereas, the request for vacation has not been filed with the Circuit Court by Stackable and Boone; and

Now, Therefore, Be It Resolved that the Council of the City of Lansing hereby vacates that portion of the 200 block of East Ionia Street right-of-way from the east line of Grand Avenue easterly to a line eighty-two and one-half feet (82.5 feet) west of the west bank of the Grand River; and

Be It Finally Resolved that the portion vacated be divided in accordance with the Council's scheduled abandonment policy whereby abutting property owners receive one-half the vacated right-of-way abutting their property.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PHYSICAL DEVELOPMENT—

Resolved by the City Council of the City of Lansing:

Whereas, the City of Lansing has been awarded an Urban Development Action Grant to promote the development of Capitol Commons; and

Whereas, the City of Lansing is desirous of the assistance of BILD Corporation in administering the Grant, Now, Therefore,

Be It Hereby Resolved that the City of Lansing is authorized to enter into a contract with BILD Corporation for the distribution of Urban Development Action Grant funds to the Capitol Commons Project substantially in the form of the attached Agreement.

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Adopted by the following ovte:

Yeas: Councilmen Adado, Belen, Blair, Brenke, Gunther, Lindemann, McKane—7.

Nay: Councilman Worthington—1.

By COMMITTEE OF THE WHOLE—

Resolved by the City Council of the City of Lansing:

Whereas, the Lansing City Council has on numerous occasions, given various approval for the "100 Block" project to proceed; and,

Whereas, the grant agreement for the "100 Block" requires extensive legal analysis and documentation; and,

Whereas, the Lansing City Attorney's Office has great demands on its time and resources; and,

Whereas, legal documents for this kind of development require specialized expertise and will need to be developed and prepared in a short time span;

Now, Therefore, Be It Resolved, the City Council of the City of Lansing hereby concurs with the request and recommendation of the EDC Board of Directors and authorizes the use of the law firm of Dickinson, Wright, McKean, Cudlip & Moon to prepare such documents; and

Be It Further Resolved, the Lansing Economic Development Corporation has accepted the financial responsibility for the legal expenses incurred in the preparation of documents and work as need for the "100 Block" Grant Agreement.

Adopted by the following vote:

Unanimously.

By COMMITTEE OF THE WHOLE—

Resolved by the City Council of the City of Lansing:

Whereas, the City Council has for many weeks reviewed the Fiscal 81-82 Budget recommended by the Mayor, and

Whereas, the Council has simultaneously been reviewing the City's financial position and the impacts on it of Proposal A, federal budget actions and other factors, and

Whereas the City Council is committed to assuring property tax relief to Lansing taxpayers while sustaining essential services, and

Whereas, the City Council wishes to provide its citizens with the fullest information on potential options and intended actions of the City so that citizens can know their tax implications prior to the May 19 special election on Proposal A, and

Whereas, the City Council is committed to support broad property tax relief which is legally possible only through reform of the State Constitution such as is done in Proposal A, or to reduce local City millage which only limits the growth of taxes but is the only factor on property taxes under City control, and

Whereas, the adoption of the City budget requires knowledge of estimated revenues from taxes, fees and other income, and

Whereas, the proposed Fiscal Year 81-82 Budget reflects reductions in staffing levels, continuation of essential programs with no expansion or new programs and concerted efforts to reduce spending,

Now, Therefore, Be It Resolved, that the City Council hereby adpots the Fiscal Year 81-82 Budget as recommended by the Mayor and amended by the City Council, and

Be It Further Resolved, that the City Council establishes a tax rate for City operations of 10.25 mills for operating purposes which would provide $1.1 million dollars of property tax relief and .67 mills for debt retirement for a total levy of 10.92 mills, unless Proposal A, which would provide $2.4 million dollars in property tax relief to Lansing residents, is adopted on May 19, 1981, then

Be It Resolved, that the tax levy for Fiscal Year 81-82 be 11.25 mills for operating purposes and .67 mills for debt service as the levy will sustain basic services while total property tax relief will be $1.3 million dollars more than a City millage rollback.

FY 81-82 BUDGET
CITY COUNCIL BUDGET
MODIFICATIONS and POLICY ACTIONS

The following actions are hereby adopted concurring, modifying, enacting or disapproving the Fiscal Year 81-82 Budget and Policy Modifications as recommended by the Mayor:

**APPROPRIATIONS:**

1. Police Department—School Crossing Guards

| | | |
|---|---|---|
| Add | $34,000 | Wage—Temporary Help |
| | $ 6,500 | Fringe Benefit |

II. Human Services

| | | |
|---|---|---|
| Add | $35,000 | Day-Care |
| | $ 5,000 | Child Abuse & Neglect |
| | $10,000 | Community Mental Health-Substance Abuse |

Delete ($16,000) Unprogrammed Match

III. City Council

| | | |
|---|---|---|
| Add | $ 750 | Conferences/Education & Training |

IV. District Court

| | | |
|---|---|---|
| Add | $21,000* | Salaries—Judges |
| | $ 1,470 | Fringe Benefits |
| | $ 900 | Postage |
| | $ 210 | Magistrate & Recorder |

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Fees
$ 278 Conferences
$ 1,668 Equipment
$ 373 Maintenance Contracts

Delete ($3,429) Professional Services

V. Administrative Services

Add $32,000 Equipment Rental—Data Processing

VI. Public Services

Add $69,000 Garbage Collection Subsidy

Add Carry-forward—City Portion Storm Sewers

VII. Estimated Revenues

Add $50,400 District Court Revenues

Delete ($34,000) Bulk Pick-up Fees (Garbage Fund)

($35,000) Reduce Leaf Pick-up Fees

($183,672) Property Tax—Final '81 SEV

*Contingent upon signing of Legislation Reimbursing Local Units for portion of Judges Salaries.

**POLICY ACTIONS:**

I. Fire—Street Alarm Box Capping—Concur & Adopt.

II. Parks—Tree Planting—Modify that tree replacement be on a first out, first replaced basis then concur.

III. Elected Officials — Waiver of Health Insurance four (4) month selfpayment—Enact.

IV. Human Services — That the integration of funding and support of Arts programs be considered by an Ad Hoc Committee who will report back its policy recommendation to the City Council. Also, that funding of the Tri-County Agency Consortium, as part of the City's funding of Human Service Program, be with the policy of Human Services Allocations.*

V. Police — School Crossing Guards—That Administration retain the 50 current crossing guards for Fall semester and concurrently that a study be conducted and criteria set for future assignment of crossing guards. Also, that the Safety Council and School District representatives participate in this report and that report and policy recommendations be made to Council by October 1, 1981.

VI. Public Service — Garbage Collection Program — Modify to not concur in implementation of bulk pick-up charges and to modify leaf pick-up charges to reduce cost to citizens. Specific detail to be determined by working with Physical Development Committee for final action no later than September 1, 1981.

VII. Moratorium — That the Council President shall establish a Moratorium Committee to review and approve refilling of vacant positions in the Legislative, Courts and City Clerk's Departments do to funding considerations Moratorium already exists for all Executive Staff.

VIII. City Cars — that the President shall appoint a special committee to study City car policy excluding the Mayor's & City Clerk's and that no City cars shall be purchased after July 1, 1981 unless justification is presented and approved by City Council.

IX. Budget Administrative Authority—That for each Department, the total appropriation for each of the following categories may be Administratively transferred within that department under the Administrative Transfer process. These categories shall be: a) Salaries & Wages; b) Fringe Benefits; c) Operating cost; d) Utilities; e) Equipment. (1) Further, that no unfunded, but authorized positions can be refilled without prior Council approval. Finally, that it is the intent of the Council that no new position may be created under either this or any existing budgetory authority without prior Council approval.

*The level of funding is fixed by the original Consortium Contract as a maintenance of effort by the City. The management and use of these funds has been and will continue to be the responsibility of the consortium. The reflection of this funding within the 1% Human Services allocation in no way reflects the consortium's responsibility to manage these funds. The on-going agreement between the city and the consortium will be monitored by the Internal Auditor. Any modification to the annual contract for these funds will be handled by the office of the City Attorney.

(1) Appropriate notification of such transfer shall be made to the Ways and Means Committee. The administrative transfers shall be sequentially numbered.

That under Policy Actions the following changes be made:

By COUNCILMAN McKANE—

That Policy Action No. VI be changed to read as follows:

"Public Service—Garbarge Collection Program — Modify to not concur in implemen-

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tation of bulk pick-up charges and leaf pick-up charges."

Carried.

By COUNCILMAN WORTHINGTON—

That Policy Action No. VIII the word "purchased" be changed to read "used".

Carried.

By COUNCILMAN BLAIR—

Under appropriations VI and VII that $35,000 Estimated Revenue be reduced and that Garbage Subsidy be increased $35,000.

Carried.

The resolution as amended was adopted by the following vote:

Yeas: Councilmen Adado, Belen, Blair, Gunther, Lindemann, McKane, Worthington—7.

Nay: Councilman Brenke—1.

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## GENERAL FUND

# CITY OF LANSING BUDGET

## FOR THE FISCAL YEAR ENDING

## JUNE 30, 1982

### CITY COUNCIL

| | | | |
|---|---|---|---|
| 101-101-000-702 | Salaries & Longevity | $ 170,833 | |
| 101-101-000-707 | Wages—Temporary Help | 1,200 | |
| 101-101-000-740 | Operating Supplies | 7,000 | |
| 101-101-000-741 | Miscellaneous & Operating Expenses | 3,000 | |
| 101-101-000-741.01 | Councilman Adado | 500 | |
| 101-101-000-741.02 | Councilman Belen | 500 | |
| 101-101-000-741.03 | Councilman Blair | 500 | |
| 101-101-000-741.04 | Councilman Brenke | 500 | |
| 101-101-000-741.05 | Councilman Gunther | 500 | |
| 101-101-000-741.06 | Councilman Lindemann | 500 | |
| 101-101-000-741.07 | Councilman McKane | 500 | |
| 101-101-000-741.08 | Councilman Worthington | 500 | |
| 101-101-000-807 | City Audit | 16,000 | |
| 101-101-000-864 | Conferences, Education & Training | 1,500 | |
| 101-101-000-933 | Equipment Repair & Maintenance | 1,000 | |
| 101-101-000-963 | Claims | 15,000 | |
| | TOTAL | | $ 219,533 |

### INTERNAL AUDIT

| | | | |
|---|---|---|---|
| 101-105-000-702 | Salaries & Longevity | $ 160,265 | |
| 101-105-000-741 | Miscellaneous & Operating Expenses | 1,500 | |
| 101-105-000-864 | Conferences & Workshops | 1,600 | |
| 101-105-000-960 | Education & Training | 460 | |
| | TOTAL | | $ 163,825 |

### MAYOR

| | | | |
|---|---|---|---|
| 101-171-000-702 | Salaries & Longevity | $ 201,950 | |
| 101-171-000-707 | Wages—Temporary Help | 600 | |
| 101-171-000-741 | Miscellaneous & Operating Expenses | 6,000 | |
| 101-171-000-864 | Conferences & Workshops | 500 | |
| 101-171-000-880 | Community Promotion | 1,000 | |
| | TOTAL | | $ 210,050 |

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## PROGRAM COORDINATOR

| | | | |
|---|---|---|---|
| 101-106-000-702 | Salaries & Longevity | $ 72,836 | |
| 101-106-000-741 | Miscellaneous & Operating Expenses | 4,000 | |
| | TOTAL | | $ 76,836 |

## DISTRICT COURT

| | | | |
|---|---|---|---|
| 101-136-000-700 | District Court Expenditures | $ 1,283,060 | |
| | TOTAL | | $ 1,283,060 |

## PROBATION

| | | | |
|---|---|---|---|
| 101-151-000-702 | Salaries & Longevity | $ 160,400 | |
| 101-151-000-711 | Sick Leave Reimbursement | 1,500 | |
| 101-151-000-741 | Miscellaneous & Operating Expenses | 2,000 | |
| | TOTAL | | $ 163,900 |

## CITY CLERK

| | | | |
|---|---|---|---|
| 101-215-000-702 | Salaries & Longevity | $ 169,480 | |
| 101-215-000-707 | Temporary Help | 11,250 | |
| 101-215-000-708 | Overtime | 1,560 | |
| 101-215-000-720 | Wages—Election Inspector | 49,590 | |
| 101-215-000-741 | Miscellaneous & Operating Expenses | 24,230 | |
| 101-215-000-801 | Professional Service | 3,440 | |
| 101-215-000-901 | Advertising & Publishing | 72,000 | |
| 101-215-000-977 | Equipment | 450 | |
| | TOTAL | | $ 332,000 |

## FINANCE DEPARTMENT

### Controller

| | | | |
|---|---|---|---|
| 101-201-000-702 | Salaries & Longevity | $ 362,190 | |
| 101-201-000-707 | Wages—Temporary Help | 5,000 | |
| 101-201-000-709 | Overtime | 25,500 | |
| 101-201-000-740 | Operating Supplies | 33,000 | |
| 101-201-000-741 | Miscellaneous & Operating Expenses | 300 | |
| 101-201-000-801 | Professional Services | 20,000 | |
| 101-201-000-943 | Equipment Rental | 8,940 | |
| 101-201-000-977 | Equipment | 890 | |
| | DIVISION TOTAL | | $ 455,820 |

### Assessor

| | | | |
|---|---|---|---|
| 101-209-000-702 | Salaries & Longevity | $ 557,512 | |
| 101-209-000-707 | Wages—Temporary Help | 800 | |
| 101-209-000-708 | Overtime—Salary | 5,000 | |
| 101-209-000-721 | Wages—Board of Review | 8,925 | |
| 101-209-000-740 | Operating Supplies | 16,000 | |
| 101-209-000-741 | Miscellaneous & Operating Expenses | 2,200 | |
| 101-209-000-801 | Professional Services | 500 | |
| 101-209-000-860 | Transportation Expense | 13,000 | |
| 101-209-000-977 | Equipment | 346 | |
| | DIVISION TOTAL | | $ 604,283 |

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### Budget and Retirement Systems

| | | | |
|---|---|---|---|
| 101-223-000-702 | Salaries & Longevity | $ 276,826 | |
| 101-223-000-708 | Overtime—Salary | 100 | |
| 101-223-000-740 | Operating Supplies | 12,700 | |
| 101-223-000-741 | Miscellaneous & Operating Expenses | 7,925 | |
| | DIVISION TOTAL | | $ 297,551 |

### Income Tax

| | | | |
|---|---|---|---|
| 101-224-000-702 | Salaries & Longevity | $ 193,357 | |
| 101-224-000-707 | Wages—Temporary Help | 4,386 | |
| 101-224-000-729 | Printing & Forms | 18,000 | |
| 101-224-000-730 | Postage | 9,975 | |
| 101-224-000-741 | Miscellaneous & Operating Expenses | 19,924 | |
| | DIVISION TOTAL | | $ 245,642 |

### Purchasing

| | | | |
|---|---|---|---|
| 101-233-000-702 | Salaries & Longevity | $ 132,304 | |
| 101-233-000-740 | Operating Supplies | 5,000 | |
| 101-233-000-741 | Miscellaneous & Operating Expenses | 5,845 | |
| 101-233-000-959 | Auction Expense | 9,000 | |
| 101-233-000-977 | Equipment | 925 | |
| 101-233-001-977 | Surplus Equipment | 2,610 | |
| | DIVISION TOTAL | | $ 155,684 |

### Treasurer

| | | | |
|---|---|---|---|
| 101-253-000-702 | Salaries & Longevity | $ 181,251 | |
| 101-253-000-741 | Miscellaneous & Operating Expenses | 14,007 | |
| 101-253-000-977 | Equipment | 724 | |
| | DIVISION TOTAL | | $ 195,982 |
| | GRAND TOTAL FINANCE DEPARTMENT | | $ 1,954,962 |

## LAW

| | | | |
|---|---|---|---|
| 101-210-000-702 | Salaries & Longevity | $ 273,795 | |
| 101-210-000-707 | Wages—Temporary Help | 13,700 | |
| 101-210-000-708 | Overtime—Salary | 1,200 | |
| 101-210-000-740 | Operating Supplies | 3,800 | |
| 101-210-000-741 | Miscellaneous & Operating Expenses | 1,300 | |
| 101-210-000-801 | Professional Services | 25,500 | |
| 101-210-000-980 | Library | 7,500 | |
| | TOTAL | | $ 326,795 |

## ADMINISTRATIVE SERVICES DEPARTMENT

### Inventory Control and Warehousing

| | | | |
|---|---|---|---|
| 101-214-000-702 | Salaries & Longevity | $ 47,934 | |
| 101-214-000-740 | Operating Supplies | 890 | |
| 101-214-000-741 | Miscellaneous & Operating Expenses | 300 | |
| 101-214-000-920 | Utilities | 6,044 | |
| 101-214-000-930 | Repair & Maintenance | 12,528 | |
| | DIVISION TOTAL | | $ 67,696 |

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### Data Processing

| | | | |
|---|---|---|---|
| 101-221-000-702 | Salaries & Longevity | $ 421,176 | |
| 101-221-000-708 | Overtime—Salary | 5,200 | |
| 101-221-000-729 | Forms—City Department | 26,000 | |
| 101-221-000-741 | Miscellaneous & Operating Expenses | 18,035 | |
| 101-221-000-920 | Utilities | 11,200 | |
| 101-221-000-942 | Building Rental | 23,673 | |
| 101-221-000-943 | Equipment Rental | 453,133 | |
| 101-221-000-977 | Equipment | 11,700 | |
| | DIVISION TOTAL | | $ 970,117 |

### Central Garage

| | | | |
|---|---|---|---|
| 101-222-000-702 | Salaries & Longevity | $ 432,200 | |
| 101-222-000-707 | Wages—Temporary Help | 8,000 | |
| 101-222-000-708 | Overtime—Salary | 11,000 | |
| 101-222-000-710 | Holiday Pay | 450 | |
| 101-222-000-740 | Operating Supplies | 24,654 | |
| 101-222-211-751 | Gasoline—Police | 313,200 | |
| 101-222-212-751 | Gasoline—Fire | 52,200 | |
| 101-222-213-751 | Gasoline—Other | 90,480 | |
| 101-222-211-781 | Repair Parts—Police | 78,307 | |
| 101-222-212-781 | Repair Parts—Fire | 107,000 | |
| 101-222-213-781 | Repair Parts—Other | 22,909 | |
| 101-222-000-920 | Utilities | 14,000 | |
| 101-222-000-930 | Repair & Maintenance | 2,500 | |
| 101-222-215-933 | Vehicle Washes | 20,000 | |
| 101-222-211-939 | Accident Repair—Police | 8,500 | |
| 101-222-000-959 | Auction Expense | 17,550 | |
| 101-222-000-985 | Vehicles | 273,787 | |
| 101-222-006-985 | Special Vehicle Equipment | 3,050 | |
| | DIVISION TOTAL | | $ 1,479,787 |

### Operational Services—Microfilm

| | | | |
|---|---|---|---|
| 101-228-000-702 | Salaries & Longevity | $ 67,617 | |
| 101-228-000-740 | Operating Supplies | 1,120 | |
| 101-228-000-741 | Miscellaneous & Operating Expenses | 9,200 | |
| 101-228-000-930 | Repair & Maintenance | 14,500 | |
| 101-228-000-943 | Equipment Rental | 690 | |
| 101-228-001-702 | Salaries & Longevity | 46,739 | |
| 101-228-001-740 | Operating Supplies | 10,976 | |
| 101-228-001-741 | Miscellaneous & Operating Expenses | 100 | |
| 101-228-001-930 | Repair & Maintenance | 7,800 | |
| 101-228-001-977 | Equipment | 3,045 | |
| | DIVISION TOTAL | | $ 161,787 |

## ADMINISTRATIVE SERVICES

### Administrative

| | | | |
|---|---|---|---|
| 101-257-000-702 | Salaries & Longevity | $ 81,856 | |
| 101-257-000-741 | Miscellaneous & Operating Expenses | 975 | |
| | DIVISION TOTAL | | $ 82,831 |

### Property Management

| | | | |
|---|---|---|---|
| 101-265-000-702 | Salary—Administration | $ 178,018 | |
| 101-265-000-706 | Wages—Administration | 263,372 | |
| 101-265-000-708 | Overtime—Salary | 6,000 | |
| 101-265-000-709 | Overtime—Hourly | 5,150 | |
| 101-265-000-740 | Operating Supplies | 17,450 | |
| 101-265-000-741 | Miscellaneous Operating Expenses | 2,060 | |

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| | | | |
|---|---|---|---|
| 101-265-000-801 | Contractual Services | 183,885 | |
| 101-265-001-920 | Utilities—City Hall | 288,960 | |
| 101-265-002-920 | Utilities—Washington Square Annex | 54,880 | |
| 101-265-003-920 | Utilities—Genesee Center | 5,000 | |
| 101-265-004-920 | Utilities—Hazel Street | 24,300 | |
| 101-265-005-920 | Utilities—Poxson | 6,000 | |
| 101-265-006-920 | Utilities—Foster | 21,280 | |
| 101-265-000-931 | Project Maintenance | 50,247 | |
| 101-265-001-931 | Preventive Maintenance | 40,773 | |
| 101-265-002-931 | Unscheduled Maintenance | 56,780 | |
| 101-265-000-933 | Equipment Maintenance | 345 | |
| | DIVISION TOTAL | | $ 1,204,500 |
| | ADMINISTRATIVE SERVICES DEPARTMENT GRAND TOTAL | | $ 3,966,718 |

## PERSONNEL AND SAFETY

### Personnel

| | | | |
|---|---|---|---|
| 101-226-000-702 | Salaries & Longevity | $ 251,111 | |
| 101-226-000-741 | Miscellaneous & Operating Expenses | 15,000 | |
| 101-226-000-801 | Professional Services—Legal | 49,000 | |
| 101-226-000-821 | Arbitration Fees | 22,500 | |
| 101-226-000-823 | Medical Services | 25,000 | |
| 101-226-000-977 | Equipment | 940 | |
| | DIVISION TOTAL | | $ 363,551 |

### Safety Division

| | | | |
|---|---|---|---|
| 101-371-000-702 | Salaries & Longevity | $ 57,740 | |
| 101-371-000-740 | Operating Supplies | 1,600 | |
| 101-371-000-741 | Miscellaneous & Operating Expenses | 240 | |
| 101-371-000-745 | Safety Equipment | 2,500 | |
| | DIVISION TOTAL | | $ 62,080 |
| | PERSONNEL AND SAFETY DEPARTMENT GRAND TOTAL | | $ 425,631 |

## BUILDING SAFETY AND DEVELOPMENT

### Administration

| | | | |
|---|---|---|---|
| 101-275-000-702 | Salaries & Longevity | $ 56,550 | |
| | SUB-TOTAL | | $ 56,550 |

### Building Safety

| | | | |
|---|---|---|---|
| 101-380-000-702 | Salaries & Longevity | $ 541,950 | |
| 101-380-000-708 | Overtime—Salary | 750 | |
| 101-380-000-740 | Operating Supplies | 11,300 | |
| 101-380-000-741 | Miscellaneous & Operating Expenses | 5,450 | |
| 101-380-000-801 | Professional Services | 11,000 | |
| 101-380-000-860 | Transportation Expense | 1,000 | |
| 101-380-000-977 | Equipment | 1,000 | |
| | DIVISION TOTAL | | $ 572,450 |

### Redevelopment

| | | | |
|---|---|---|---|
| 101-821-000-702 | Salaries & Longevity | $ 69,200 | |
| | SUB-TOTAL | | $ 69,200 |
| | BUILDING SAFETY AND REDEVELOPMENT GRAND TOTAL | | $ 698,200 |

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# POLICE DEPARTMENT

## Administration Division

| | | | |
|---|---|---|---|
| 101-305-000-702 | Salaries | $ 817,000 | |
| 101-305-000-708 | Overtime—Salary | 200,000 | |
| 101-305-000-709 | Overtime—Civilian (708.01) | 4,000 | |
| 101-305-000-710 | Holiday Pay | 89,600 | |
| 101-305-000-712 | Longevity | 127,700 | |
| 101-305-000-723 | Gun Allowance | 40,700 | |
| 101-305-000-724 | Clothing Allowance | 23,700 | |
| 101-305-000-725 | Dry Cleaning Allowance | 87,900 | |
| 101-305-000-740 | Operating Supplies | 30,000 | |
| 101-305-000-741 | Miscellaneous & Operating Expenses | 37,000 | |
| 101-305-000-853 | Telephone | 43,000 | |
| 101-305-016-958 | Evidence Fund—Metro | 20,000 | |
| 101-305-000-977 | Equipment | 398 | |
| | DIVISION TOTAL | | $ 1,520,998 |

## Administrative Services Division

| | | | |
|---|---|---|---|
| 101-307-000-702 | Salaries | $ 147,850 | |
| 101-307-000-741 | Miscellaneous & Operating Expenses | 300 | |
| | DIVISION TOTAL | | $ 148,150 |

## Central Records Division

| | | | |
|---|---|---|---|
| 101-308-000-702 | Salaries | $ 681,400 | |
| 101-308-000-740 | Operating Supplies | 10,000 | |
| 101-308-000-741 | Miscellaneous & Operating Expenses | 17,500 | |
| 101-308-000-758 | Uniforms | 40,000 | |
| 101-308-000-930 | Repair & Maintenance | 9,840 | |
| 101-308-000-977 | Equipment | 17,600 | |
| | SUB-TOTAL | | $ 776,340 |

## LEMS

| | | | |
|---|---|---|---|
| 101-308-650-741 | Miscellaneous & Operating Expenses | $ 24,800 | |
| | SUB-TOTAL | | $ 24,800 |
| | DIVISION TOTAL | | $ 801,140 |

## 911 Emergency Operations Center

| | | | |
|---|---|---|---|
| 101-309-000-702 | Salaries | $ 780,010 | |
| 101-309-000-740 | Operating Supplies | 3,000 | |
| 101-309-000-741 | Miscellaneous & Operating Expenses | 44,000 | |
| 101-309-000-930 | Repair & Maintenance | 45,000 | |
| | DIVISION TOTAL | | $ 872,010 |

## Investigations Division

| | | | |
|---|---|---|---|
| 101-310-000-702 | Salaries | $ 874,800 | |
| 101-310-000-740 | Operating Supplies | 1,000 | |
| 101-310-000-741 | Miscellaneous & Operating Expenses | 1,000 | |
| | DIVISION TOTAL | | $ 876,800 |

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### Uniform Division

| | | | |
|---|---|---|---|
| 101-316-000-702 | Salaries | $ 686,600 | |
| 101-316-000-707 | Wages—Temporary Help | 102,300 | |
| 101-316-000-740 | Operating Supplies | 8,000 | |
| 101-316-000-741 | Miscellaneous & Operating Expenses | 2,100 | |
| 101-316-000-977 | Equipment | 1,200 | |
| | SUB-TOTAL | | $ 800,200 |

### Helicopter

| | | | |
|---|---|---|---|
| 101-316-023-728 | Dues & Subscriptions | $ 130 | |
| 101-316-023-740 | Operating Supplies | 200 | |
| 101-316-023-741 | Miscellaneous & Operating Expenses | 800 | |
| 101-316-023-751 | Fuel | 30,000 | |
| 101-316-023-801 | Professional Services | 1,016 | |
| 101-316-023-920 | Hangar/Range Utilities | 7,280 | |
| 101-316-023-930 | Repair & Maintenance | 50,000 | |
| | SUB-TOTAL | | $ 89,426 |
| | DIVISION TOTAL | | $ 889,626 |

### Training Division

| | | | |
|---|---|---|---|
| 101-320-000-702 | Salaries | $ 167,900 | |
| 101-320-000-740 | Operating Supplies | 14,000 | |
| 101-320-000-741 | Miscellaneous & Operating Expenses | 2,500 | |
| 101-320-000-977 | Equipment | 4,400 | |
| | DIVISION TOTAL | | $ 188,800 |

### Radio Maintenance Division

| | | | |
|---|---|---|---|
| 101-325-000-702 | Salaries | $ 95,400 | |
| 101-325-000-741 | Miscellaneous & Operating Expenses | 500 | |
| 101-325-000-920 | Utilities | 6,160 | |
| 101-325-000-930 | Repair & Maintenance | 8,500 | |
| 101-325-000-977 | Equipment | 3,010 | |
| | DIVISION TOTAL | | $ 113,570 |
| | GRAND TOTAL POLICE | | $ 5,411,094 |

## FIRE DEPARTMENT

### Administration Division

| | | | |
|---|---|---|---|
| 101-337-000-702 | Salaries | $ 137,630 | |
| 101-337-000-708 | Overtime—Salary | 400 | |
| 101-337-000-712 | Longevity | 2,400 | |
| 101-337-000-740 | Operating Supplies | 6,000 | |
| 101-337-000-741 | Miscellaneous & Operating Expenses | 900 | |
| 101-337-000-920 | Utilities | 136,230 | |
| | DIVISION TOTAL | | $ 283,560 |

### Maintenance Division

| | | | |
|---|---|---|---|
| 101-338-000-702 | Salaries and Acting Time | $ 48,560 | |
| 101-338-000-708 | Overtime—Salary | 350 | |
| 101-338-000-710 | Holiday Pay | 900 | |
| 101-338-000-712 | Longevity | 1,320 | |
| 101-338-000-741 | Miscellaneous & Operating Expenses | 26,600 | |
| 101-338-000-743 | Chemicals | 5,600 | |
| 101-338-000-933 | Equipment Maintenance | 18,000 | |
| 101-338-000-977 | Equipment | 23,800 | |
| | DIVISION TOTAL | | $ 125,130 |

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## Suppression Division

| | | | |
|---|---|---|---|
| 101-339-000-702 | Salaries & Acting Time | $ 4,675,500 | |
| 101-339-000-708 | Overtime—Salary | 159,600 | |
| 101-339-000-710 | Holiday Pay | 95,850 | |
| 101-339-000-712 | Longevity | 113,360 | |
| 101-339-000-722 | Food Allowance | 65,500 | |
| 101-339-000-741 | Miscellaneous & Operating Expenses | 13,200 | |
| | DIVISION TOTAL | | $ 5,123,010 |

## Prevention Division

| | | | |
|---|---|---|---|
| 101-341-000-702 | Salaries | $ 261,210 | |
| 101-341-000-708 | Overtime—Salary | 7,500 | |
| 101-341-000-710 | Holiday Pay | 4,500 | |
| 101-341-000-712 | Longevity | 7,220 | |
| 101-341-000-741 | Miscellaneous & Operating Expenses | 5,100 | |
| | DIVISION TOTAL | | $ 285,530 |

## Training Division

| | | | |
|---|---|---|---|
| 101-343-000-702 | Salaries | $ 67,920 | |
| 101-343-000-710 | Holiday Pay | 900 | |
| 101-343-000-712 | Longevity | 1,760 | |
| 101-343-000-741 | Miscellaneous & Operating Expenses | 1,400 | |
| 101-343-000-977 | Equipment | 4,300 | |
| | DIVISION TOTAL | | $ 76,280 |

## Alarm Division

| | | | |
|---|---|---|---|
| 101-345-000-702 | Salaries | $ 122,610 | |
| 101-345-000-708 | Overtime—Salary | 3,000 | |
| 101-345-000-710 | Holiday Pay | 2,250 | |
| 101-345-000-712 | Longevity | 2,860 | |
| 101-345-000-741 | Miscellaneous & Operating Expenses | 800 | |
| 101-345-000-930 | Repair & Maintenance | 12,000 | |
| 101-345-000-977 | Equipment | 810 | |
| | DIVISION TOTAL | | $ 144,330 |

## Radio Lab Division

| | | | |
|---|---|---|---|
| 101-347-000-741 | Miscellaneous & Operating Expenses | $ 3,700 | |
| | DIVISION TOTAL | | $ 3,700 |

## Dispatch Division

| | | | |
|---|---|---|---|
| 101-348-000-702 | Salaries | $ 141,600 | |
| 101-348-000-708 | Overtime—Salary | 4,000 | |
| 101-348-000-710 | Holiday Pay | 2,700 | |
| 101-348-000-712 | Longevity | 3,960 | |
| 101-348-000-741 | Miscellaneous & Operating Expenses | 2,800 | |
| 101-348-000-930 | Repair & Maintenance | 1,500 | |
| | DIVISION TOTAL | | $ 156,560 |

## Ambulance Division

| | | | |
|---|---|---|---|
| 101-349-000-702 | Salaries | $ 410,095 | |
| 101-349-000-708 | Overtime—Salary | 23,115 | |
| 101-349-000-710 | Holiday Pay | 8,550 | |
| 101-349-000-712 | Longevity | 5,280 | |
| 101-349-000-722 | Food Allowance | 5,400 | |
| 101-349-000-740 | Operating Supplies | 17,000 | |
| 101-349-000-741 | Miscellaneous & Operating Expenses | 4,200 | |
| 101-349-000-930 | Repair & Maintenance | 2,500 | |
| 101-349-000-977 | Equipment | 61,240 | |
| | DIVISION TOTAL | | $ 537,380 |
| | GRAND TOTAL—FIRE | | $ 6,735,480 |

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## EMERGENCY SERVICES

| | | | |
|---|---|---|---|
| 101-426-000-702 | Salaries & Longevity | $ 44,300 | |
| 101-426-000-741 | Miscellaneous & Operating Expenses | 2,800 | |
| 101-426-000-930 | Repair & Maintenance | 11,300 | |
| 101-426-000-977 | Equipment | 2,000 | |
| | TOTAL | | $ 60,400 |

## PUBLIC SERVICE DEPARTMENT

### Transportation

| | | | |
|---|---|---|---|
| 101-437-000-702 | Salaries & Longevity | $ 59,492 | |
| 101-437-000-707 | Temporary Help | 2,500 | |
| 101-437-000-708 | Overtime—Salary | 300 | |
| 101-437-000-740 | Operating Supplies | 2,200 | |
| 101-437-000-741 | Miscellaneous & Operating Expenses | 300 | |
| 101-437-000-942 | Building Rental | 9,500 | |
| 101-437-000-977 | Equipment | 420 | |
| | DIVISION TOTAL | | $ 74,712 |

### Administration & Engineering

| | | | |
|---|---|---|---|
| 101-441-000-702 | Salaries & Longevity | $ 455,967 | |
| 101-441-012-706 | Wages—Hourly, Survey & Plans | 78,724 | |
| 101-441-000-708 | Overtime—Salary | 600 | |
| 101-441-000-710 | Holiday Pay | 72,000 | |
| 101-441-000-711 | Sick Leave | 70,000 | |
| 101-441-000-712 | Longevity | 35,000 | |
| 101-441-000-713 | Vacation Pay | 116,000 | |
| 101-441-000-740 | Operating Supplies | 6,500 | |
| 101-441-000-881 | Street Decoration | 1,600 | |
| 101-441-000-934 | Radio Equipment Maintenance | 2,500 | |
| 101-441-000-945 | Railroad Leases | 2,500 | |
| 101-441-000-977 | Equipment | 650 | |
| | DIVISION TOTAL | | $ 842,041 |

### Public Works—Field Operations

| | | | |
|---|---|---|---|
| 101-442-000-740 | Operating Supplies | $ 426 | |
| 101-442-000-920 | Utilities | 40,000 | |
| 101-442-000-931 | Building Maintenance | 13,000 | |
| 101-442-000-977 | Equipment | 450 | |
| | ACTIVITY TOTAL | | $ 53,876 |

### Sidewalk—Snow and Ice Removal

| | | | |
|---|---|---|---|
| 101-443-000-706 | Wages—Hourly | $ 12,500 | |
| 101-443-000-943 | Equipment Rental | 12,600 | |
| | ACTIVITY TOTAL | | $ 25,100 |

### Sidewalks—City Property

| | | | |
|---|---|---|---|
| 101-444-601-932 | Temporary Sidewalk Repair Damage | $ 2,500 | |
| | ACTIVITY TOTAL | | $ 2,500 |

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## Other Operations—Flood Control

| | | | |
|---|---|---|---|
| 101-445-017-706 | Wages—Hourly | $ 5,630 | |
| 101-445-017-920 | Utilities | 1,600 | |
| 101-445-017-933 | Equipment Maintenance | 2,300 | |
| 101-445-017-943 | Equipment Rental | 1,200 | |
| | ACTIVITY TOTAL | | $ 10,730 |

## Storm Sewer Maintenance

| | | | |
|---|---|---|---|
| 101-445-018-706 | Wages—Hourly | $ 111,739 | |
| 101-445-018-740 | Operating Supplies | 14,000 | |
| 101-445-018-943 | Equipment Rental | 120,000 | |
| | ACTIVITY TOTAL | | $ 245,739 |

## Alleys—Snow Removal

| | | | |
|---|---|---|---|
| 101-448-000-706 | Wages—Hourly | $ 1,250 | |
| 101-448-000-943 | Equipment Rental | 1,450 | |
| | ACTIVITY TOTAL | | $ 2,700 |

## Miscellaneous Trash Pickup

| | | | |
|---|---|---|---|
| 101-528-000-706 | Wages—Hourly | $ 27,470 | |
| 101-528-000-740 | Operating Supplies | 1,380 | |
| 101-528-000-929 | Landfill Fees | 13,800 | |
| 101-528-000-943 | Equipment Rental | 14,400 | |
| | ACTIVITY TOTAL | | $ 57,050 |

## Major Maintenance

| | | | |
|---|---|---|---|
| 101-452-600-974 | Alley Resurfacing | —0— | |
| 101-452-601-938 | Curb & Gutter Repair | $ 200,000 | |
| 101-452-611-974 | Street Resurfacing | 366,000 | |
| 101-452-612-974 | Cold Planning | 52,000 | |
| 101-452-613-974 | Reconditioning of Streets | 52,000 | |
| 101-452-614-974 | Reconditioning After C & G | 59,500 | |
| 101-452-615-974 | Local Street Improvements | 4,315 | |
| | ACTIVITY TOTAL | | $ 733,815 |
| | PUBLIC SERVICE DEPARTMENT—GRAND TOTAL | | $ 2,048,263 |

## Garbage Collection Subsidy

| | | | |
|---|---|---|---|
| 101-528-000-969 | Garbage Collection Subsidy | $ 227,467 | |
| | TOTAL | | $ 227,467 |

## Act 51 Local Street Subsidy

| | | | |
|---|---|---|---|
| 101-453-000-969 | Act 51 Local Street Subsidy | $ 500,000 | |
| | TOTAL | | $ 500,000 |
| | PUBLIC SERVICE DEPARTMENT—GRAND TOTAL—INCLUDING SUBSIDIES | | $ 2,775,730 |

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### Cemetery Fund Contribution

| | | | |
|---|---|---|---|
| 101-276-000-969 | Cemetery Fund Contribution | $ 162,403 | |
| | TOTAL | | $ 162,403 |

## PARKS & RECREATION DEPARTMENT

## ADMINISTRATION DIVISION

### Admin., Office Mgt., Clerical, Park Design & Research Sections

| | | | |
|---|---|---|---|
| 101-692-000-702 | Salaries & Longevity | $ 329,500 | |
| 101-692-000-706 | Wages—Hourly | 32,100 | |
| 101-692-000-707 | Wages—Contract | 18,400 | |
| 101-692-000-708 | Overtime—Salary | 1,100 | |
| 101-692-000-709 | Overtime—Hourly | 2,000 | |
| 101-692-000-712 | Longevity | 24,400 | |
| 101-692-000-741 | Miscellaneous & Operating Expenses | 25,800 | |
| 101-692-000-801 | Professional Services | 6,800 | |
| 101-692-000-883 | Special Events | 57,000 | |
| 101-692-000-977 | Equipment | 2,100 | |
| | ACTIVITY TOTAL | | $ 499,200 |

### Oak Park Garage

| | | | |
|---|---|---|---|
| 101-693-000-702 | Salaries & Longevity | $ 56,000 | |
| 101-693-000-706 | Wages—Hourly | 160,000 | |
| 101-693-000-708 | Overtime—Salary | 450 | |
| 101-693-000-709 | Overtime—Hourly | 1,250 | |
| 101-693-000-741 | Miscellaneous & Operating Expenses | 4,500 | |
| 101-693-000-751 | Gasoline | 1,600 | |
| 101-693-000-977 | Equipment | 150 | |
| | ACTIVITY TOTAL | | $ 223,950 |
| | DIVISION TOTAL | | $ 723,150 |

### Municipal Market

| | | | |
|---|---|---|---|
| 101-694-000-702 | Salaries & Longevity | $ 40,300 | |
| 101-694-000-706 | Wages—Hourly | 15,850 | |
| 101-694-000-707 | Wages—Contract | 1,750 | |
| 101-694-000-708 | Overtime—Salary | 500 | |
| 101-694-000-709 | Overtime—Hourly | 900 | |
| 101-694-000-741 | Miscellaneous & Operating Expenses | 3,100 | |
| 101-694-000-920 | Utilities | 16,800 | |
| | DIVISION TOTAL | | $ 79,200 |

## PARKS DIVISION

### Parks Administration

| | | | |
|---|---|---|---|
| 101-718-000-702 | Salaries & Longevity | $ 56,950 | |
| 101-718-000-707 | Wages—Contract | 9,500 | |
| 101-718-000-741 | Miscellaneous & Operating Expenses | 1,600 | |
| 101-718-000-920 | Utilities | 87,000 | |
| 101-718-000-930 | Repair & Maintenance | 32,750 | |
| 101-718-000-963 | Taxes & Assessments | 2,000 | |
| 101-718-000-977 | Equipment | 49,900 | |
| | ACTIVITY TOTAL | | $ 239,700 |

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## Grounds Operations

| | | | |
|---|---|---|---|
| 101-718-100-702 | Salaries & Longevity | $ 67,200 | |
| 101-718-100-706 | Wages—Hourly | 333,950 | |
| 101-718-100-708 | Overtime—Salary | 1,950 | |
| 101-718-100-709 | Overtime—Hourly | 11,300 | |
| 101-718-100-740 | Operating Supplies | 19,200 | |
| 101-718-100-751 | Gas and Oil | 39,150 | |
| 101-718-100-933 | Equipment Maintenance | 32,000 | |
| | ACTIVITY TOTAL | | $ 504,750 |

## Grounds Operations—Mall Maintenance

| | | | |
|---|---|---|---|
| 101-718-101-706 | Wages—Hourly | $ 18,750 | |
| 101-718-101-709 | Overtime—Hourly | 500 | |
| 101-718-101-740 | Operating Supplies | 6,800 | |
| 101-718-101-751 | Gas and Oil | 450 | |
| 101-718-101-920 | Utilities | 5,500 | |
| 101-718-101-930 | Repair and Maintenance | 10,050 | |
| 101-718-101-977 | Equipment | 16,100 | |
| | ACTIVITY TOTAL | | $ 58,150 |

## Landscape and Horticulture

| | | | |
|---|---|---|---|
| 101-718-200-702 | Salaries and Longevity | $ 61,250 | |
| 101-718-200-706 | Wages—Hourly | 149,300 | |
| 101-718-200-708 | Overtime—Salary | 1,800 | |
| 101-718-200-709 | Overtime—Hourly | 6,700 | |
| 101-718-200-740 | Operating Supplies | 11,600 | |
| 101-718-200-751 | Gas and Oil | 13,350 | |
| 101-718-200-933 | Equipment Maintenance | 11,000 | |
| | ACTIVITY TOTAL | | $ 255,000 |

## General Services

| | | | |
|---|---|---|---|
| 101-718-300-702 | Salaries and Longevity | $ 63,900 | |
| 101-718-300-706 | Wages—Hourly | 181,550 | |
| 101-718-300-708 | Overtime—Salary | 700 | |
| 101-718-300-709 | Overtime—Hourly | 8,950 | |
| 101-718-300-740 | Operating Supplies | 25,800 | |
| 101-718-300-751 | Gas and Oil | 20,600 | |
| 101-718-300-933 | Equipment Maintenance | 17,400 | |
| | ACTIVITY TOTAL | | $ 318,900 |

## Potter Park Zoo

| | | | |
|---|---|---|---|
| 101-719-000-702 | Salaries & Longevity | $ 44,150 | |
| 101-719-000-706 | Wages—Hourly | 191,300 | |
| 101-719-000-707 | Wages—Contract | 22,400 | |
| 101-719-000-708 | Overtime—Salary | 600 | |
| 101-719-000-709 | Overtime—Hourly | 16,850 | |
| 101-719-000-741 | Miscellaneous & Operating Expenses | 8,300 | |
| 101-719-000-742 | Animal Food | 35,000 | |
| 101-719-000-751 | Gasoline | 1,800 | |
| 101-719-000-920 | Utilities | 73,900 | |
| 101-719-000-930 | Repair & Maintenance | 2,800 | |
| 101-719-000-977 | Equipment | 7,950 | |
| | ACTIVITY TOTAL | | $ 405,050 |

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### Potter Park Patrol

| | | | |
|---|---|---|---|
| 101-719-001-707 | Wages—Contract | $ 6,600 | |
| 101-719-001-741 | Miscellaneous & Operating Expenses | 950 | |
| | ACTIVITY TOTAL | | $ 7,550 |

### Winter Operations

| | | | |
|---|---|---|---|
| 101-720-000-702 | Salaries & Longevity | $ 27,200 | |
| 101-720-000-706 | Wages—Hourly | 18,200 | |
| 101-720-000-707 | Wages—Contract | 12,800 | |
| 101-720-000-708 | Overtime—Salary | 350 | |
| 101-720-000-709 | Overtime—Hourly | 4,600 | |
| 101-720-000-741 | Miscellaneous & Operating Expenses | 13,500 | |
| 101-720-000-920 | Utilities | 26,600 | |
| 101-720-000-930 | Repair & Maintenance | 2,200 | |
| | ACTIVITY TOTAL | | $ 105,450 |

### Golf Operations

| | | | |
|---|---|---|---|
| 101-721-000-702 | Salaries & Longevity | $ 53,200 | |
| 101-721-000-706 | Wages—Hourly | 117,100 | |
| 101-721-000-707 | Wages—Contract | 67,400 | |
| 101-721-000-708 | Overtime—Salary | 2,200 | |
| 101-721-000-709 | Overtime—Hourly | 19,650 | |
| 101-721-000-740 | Operating Supplies | 23,200 | |
| 101-721-000-741 | Miscellaneous & Operating Expenses | 32,800 | |
| 101-721-000-751 | Gasoline | 14,600 | |
| 101-721-000-754 | Concession Supplies | 55,400 | |
| 101-721-000-920 | Utilities | 18,600 | |
| 101-721-000-940 | Rent—Golf Carts | 17,500 | |
| 101-721-000-977 | Eqquipment | 18,150 | |
| | ACTIVITY TOTAL | | $ 439,800 |
| | DIVISION TOTAL | | $ 2,334,350 |

## RECREATION DIVISION

### Administration

| | | | |
|---|---|---|---|
| 101-725-500-702 | Salaries & Longevity | $ 56,050 | |
| 101-725-500-707 | Wages—Contract | 500 | |
| 101-725-500-741 | Miscellaneous & Operating Expenses | 7,800 | |
| 101-725-500-751 | Gasoline | 600 | |
| 101-725-500-801 | Professional Services | 29,200 | |
| 101-725-500-882 | Special Programs | 17,000 | |
| 101-725-500-882.01 | Special Programs Operating Expenses | 5,000 | |
| 101-725-500-920 | Utilities | 114,200 | |
| | ACTIVITY TOTAL | | $ 230,350 |

### Kingsley Center

| | | | |
|---|---|---|---|
| 101-726-501-702 | Salaries & Longevity | $ 55,950 | |
| 101-726-501-706 | Wages—Hourly | 18,150 | |
| 101-726-501-707 | Wages—Contract | 15,300 | |
| 101-726-501-708 | Overtime—Salary | 800 | |
| 101-726-501-709 | Overtime—Hourly | 100 | |
| 101-726-501-741 | Miscellaneous & Operating Expenses | 4,100 | |
| | ACTIVITY TOTAL | | $ 94,400 |

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## Gier Community Center

| | | | |
|---|---|---|---|
| 101-726-502-702 | Salaries & Longevity | $ 42,000 | |
| 101-726-502-706 | Wages—Hourly | 17,250 | |
| 101-726-502-707 | Wages—Contract | 12,800 | |
| 101-726-502-708 | Overtime—Salary | 650 | |
| 101-726-502-709 | Overtime—Hourly | 400 | |
| 101-726-502-741 | Miscellaneous & Operating Expenses | 3,200 | |
| | ACTIVITY TOTAL | | $ 76,300 |

## Foster Center

| | | | |
|---|---|---|---|
| 101-726-503-702 | Salaries & Longevity | $ 54,050 | |
| 101-726-503-706 | Wages—Hourly | 16,550 | |
| 101-726-503-707 | Wages—Contract | 15,800 | |
| 101-726-503-708 | Overtime—Salary | 400 | |
| 101-726-503-709 | Overtime—Hourly | 400 | |
| 101-726-503-741 | Miscellaneous & Operating Expenses | 4,900 | |
| 101-726-503-920 | Utilities | 16,000 | |
| 101-726-503-977 | Equipment | 5,500 | |
| | ACTIVITY TOTAL | | $ 113,600 |

## Competitive and Instructional Sports

| | | | |
|---|---|---|---|
| 101-727-500-702 | Salaries & Longevity | $ 42,950 | |
| 101-727-500-707 | Wages—Contract | 158,300 | |
| 101-727-500-708 | Overtime—Salary | 600 | |
| 101-727-500-709 | Overtime—Hourly | 500 | |
| 101-727-500-741 | Miscellaneous & Operating Expenses | 40,350 | |
| | ACTIVITY TOTAL | | $ 242,700 |

## Community Activities and Aquatics

| | | | |
|---|---|---|---|
| 101-728-500-702 | Salaries & Longevity | $ 62,300 | |
| 101-728-500-706 | Wages—Hourly | 34,950 | |
| 101-728-500-707 | Wages—Contract | 111,650 | |
| 101-728-500-708 | Overtime—Salary | 1,000 | |
| 101-728-500-709 | Overtime—Hourly | 800 | |
| 101-728-500-741 | Miscellaneous & Operating Expenses | 9,650 | |
| | ACTIVITY TOTAL | | $ 220,350 |

## Special Recreation and Cultural Arts

| | | | |
|---|---|---|---|
| 101-729-500-702 | Salaries & Longevity | $ 82,600 | |
| 101-729-500-706 | Wages—Hourly | 17,350 | |
| 101-729-500-707 | Wages—Contract | 84,700 | |
| 101-729-500-708 | Overtime—Salary | 1,500 | |
| 101-729-500-709 | Overtime—Hourly | 800 | |
| 101-729-500-741 | Miscellaneous & Operating Expenses | 9,100 | |
| 101-729-500-801 | Professional Services | 1,500 | |
| | ACTIVITY TOTAL | | $ 197,550 |

## Recreation and Park Support

| | | | |
|---|---|---|---|
| 101-730-500-706 | Wages—Hourly | $ 172,200 | |
| 101-730-500-709 | Overtime—Hourly | 2,000 | |
| 101-730-500-740 | Operating Supplies | 11,000 | |
| 101-730-500-751 | Gasoline | 6,100 | |
| 101-730-500-930 | Repair and Maintenance | 24,350 | |
| | ACTIVITY TOTAL | | $ 215,650 |
| | DIVISION TOTAL | | $ 1,390,900 |

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## FORESTRY DIVISION

### Forestry & Landscape

| | | | |
|---|---|---|---|
| 101-781-000-702 | Salaries & Longevity | $ 174,200 | |
| 101-781-000-706 | Wages—Hourly | 273,850 | |
| 101-781-000-708 | Overtime—Salary | 2,350 | |
| 101-781-000-709 | Overtime—Hourly | 9,350 | |
| 101-781-000-740 | Operating Supplies | 7,800 | |
| 101-781-000-751 | Gasoline | 42,250 | |
| 101-781-000-933 | Equipment Maintenance | 26,900 | |
| 101-781-000-943 | Equipment Rental | 450 | |
| 101-781-000-977 | Equipment | 32,900 | |
| | DIVISION TOTAL | | $ 570,050 |
| | GRAND TOTAL PARKS & RECREATION | | $ 5,097,650 |
| | GRAND TOTAL PARKS & RECREATION INCLUDING SUBSIDIES | | $ 5,260,053 |

## CIVIC CENTER

| | | | |
|---|---|---|---|
| 101-593-000-969 | Civic Center Contribution | $ 536,920 | |
| | Rentals and Service Revenue | 512,950 | |
| | TOTAL | | $ 536,920 |

## LANSING SENIOR CENTER

| | | | |
|---|---|---|---|
| 101-672-000-702 | Salaries & Longevity | $ 17,640 | |
| 101-672-000-707 | Wages—Temporary Help | 4,000 | |
| 101-672-000-740 | Operating Supplies | 2,270 | |
| 101-672-000-741 | Miscellaneous & Operating Expenses | 3,870 | |
| 101-672-000-920 | Utilities | 16,400 | |
| | TOTAL | | $ 44,180 |

## PLANNING

| | | | |
|---|---|---|---|
| 101-801-000-702 | Salaries & Longevity | $ 584,221 | |
| 101-801-000-707 | Wages—Temporary Help | 2,500 | |
| 101-801-000-740 | Operating Supplies | 22,300 | |
| 101-801-000-741 | Miscellaneous & Operating Expenses | 9,000 | |
| 101-801-000-831 | Citizen Committee Expenses | 1,500 | |
| 101-801-000-977 | Equipment | 1,000 | |
| | TOTAL | | $ 620,521 |

## HUMAN RELATIONS

| | | | |
|---|---|---|---|
| 101-896-000-702 | Salaries & Longevity | $ 161,800 | |
| 101-896-000-707 | Wages—Temporary Help | 25,200 | |
| 101-896-000-740 | Operating Supplies | 3,350 | |
| 101-896-000-741 | Miscellaneous & Operating Expenses | 780 | |
| | TOTAL | | $ 191,130 |

## HUMAN RESOURCES

| | | | |
|---|---|---|---|
| 101-915-000-702 | Salaries & Longevity | $ 295,600 | |
| 101-915-000-708 | Overtime—Salary | 3,600 | |
| 101-915-000-740 | Operating Supplies | 4,800 | |
| 101-915-000-741 | Miscellaneous & Operating Expenses | 1,000 | |
| | TOTAL | | $ 305,000 |

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## GENERAL ADMINISTRATIVE

| | | | |
|---|---|---|---|
| 101-930-000-707 | Temporary Help | $ 10,000 | |
| 101-930-000-715 | Fringe Benefits | 9,525,500 | |
| 101-930-000-728 | Dues & Subscriptions | 18,000 | |
| 101-930-000-801 | Appraisals and Title Searches | 10,000 | |
| 101-930-000-853 | Telephone | 210,000 | |
| 101-930-000-864 | Conferences & Workshops | 20,000 | |
| 101-930-000-871 | Parking Subsidy | 40,000 | |
| 101-930-000-872 | Bus Pass Subsidy | 10,000 | |
| 101-930-000-910 | Insurance & Bonds | 400,000 | |
| 101-930-000-926 | Street Lighting | 1,600,000 | |
| 101-930-000-927 | Public Water | 330,000 | |
| 101-930-000-960 | Education & Training | 40,000 | |
| 101-930-000-962 | City Special Expenses | 35,000 | |
| | TOTAL | | $12,248,500 |

## COMMUNITY SUPPORTED AGENCIES

| | | | |
|---|---|---|---|
| 101-934-000-969 | Impression 5 | $ 7,000 | |
| 101-934-050-969 | Lansing Convention Bureau | 25,000 | |
| 101-934-051-969 | Greater Lansing Safety Council | 20,000 | |
| 101-934-053-969 | Chamber of Commerce | 16,470 | |
| 101-934-054-969 | Cristo-Rey Recreation | 12,000 | |
| 101-934-056-969 | Tri-County Aging Consortium | 39,488 | |
| 101-934-057-969 | CATA | 400,000 | |
| 101-934-058-969 | Capitol Area Rail Council | 3,450 | |
| 101-934-059-969 | Tri-County Regional Planning | 30,000 | |
| 101-934-061-969 | Community Mental Health—Substance Abuse | 10,000 | |
| 101-934-064-969 | Cristo-Rey Mental Health Counseling | 20,000 | |
| 101-934-067-969 | Tri-County Aging—Homebound Meals | 10,000 | |
| 101-934-069-969 | Ingham County Health Clinic | 40,000 | |
| 101-934-070-969 | Humpty Dumpty Day Care | 35,000 | |
| 101-934-071-969 | Small Folks Day Care | 35,000 | |
| 101-934-072-969 | Happy Day Day Care | 35,000 | |
| 101-934-073-969 | Friendship Day Care | 35,000 | |
| 101-934-074-969 | Resurection Day Care | 35,000 | |
| 101-934-075-969 | Child Abuse & Neglect | 20,000 | |
| 101-934-076-969 | Y.W.C.A. | 10,000 | |
| 101-934-077-969 | R.S.V.P. | 7,000 | |
| 101-934-084-969 | Handicapper Advoc. Alliance | 18,000 | |
| 101-934-091-969 | New Way In | 60,000 | |
| 101-934-092-969 | Youth Development Corporation | 75,000 | |
| 101-934-093-969 | Fine Arts Council | 7,000 | |
| 101-934-094-969 | Housing Assistance Fund | 60,000 | |
| 101-934-096-969 | Women's Bureau | 20,000 | |
| 101-934-097-969 | Handicapper Transportation | 16,500 | |
| | TOTAL | | $ 1,101,908 |

## CAPITAL IMPROVEMENT PROJECTS

| | | | |
|---|---|---|---|
| 101-936-086-969 | Lake Lansing Dredging | $ 25,000 | |
| 101-936-103-973 | County Drain Projects | 125,220 | |
| 101-936-104-974 | Aurelius Road Landfill | 600,000 | |
| 101-936-107-974 | 1981 Blacktop Contracts | 110,000 | |
| 101-936-108-950 | Circuit Court Facility | 40,000 | |
| 101-936-201-971 | Kaynorth Park Acquisition | 24,000 | |
| 101-936-202-974 | Diamond Reo Site Improvement | 150,000 | |
| 101-936-617-973 | City Portion—Storm Sewers | $ 50,000 | |
| 101-936-203-971 | Lansing General Access—Phase I | 375,000 | |
| 101-936-204-970 | Miller Road Traffic Signal | 14,000 | |
| 101-936-205-970 | Oak Park Gas Pumps | 20,000 | |
| 101-936-206-975 | Cemetery Building | 44,000 | |
| | TOTAL | | $ 1,577,220 |

## MISCELLANEOUS

| | | | |
|---|---|---|---|
| 101-941-000-963 | Reserve for Contingency | $ 300,000 | |
| | TOTAL | | $ 300,000 |
| | TOTAL GENERAL FUND APPROPRIATIONS | | $46,989,646 |

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# ACT 51 OF P.A. 1951 FUND BUDGET

## For the Fiscal Year Ending June 30, 1982

## MAJOR STREET FUND

### ESTIMATED REVENUES

| | |
|---|---|
| Gas & Weight Tax and Other Revenues | $ 2,950,000 |
| Less: Transfer to Local Street Fund | (300,000) |
| From Fund Balance | 271,113 |
| TOTAL | $ 2,921,113 |

### APPROPRIATIONS

### CONSTRUCTION—MAJOR STREETS

| | | | |
|---|---|---|---|
| 202-452-201-974 | Reconstruction of Major Streets | $ 40,000 | |
| 202-452-202-974 | Major Street Improvements | 5,000 | |
| 202-452-610-974 | Contractual Services—Roto Mill | 38,000 | |
| 202-452-611-974 | Resurface Major Streets | 309,000 | |
| 202-452-612-974 | Trunkline Improvements | 15,000 | |
| | TOTAL CONSTRUCTION—MAJOR STREETS | | $ 407,000 |

### ROUTINE MAINTENANCE—ROADS & STREETS

#### Surface Maintenance

| | | | |
|---|---|---|---|
| 202-464-000-706 | Wages—Hourly | $ 203,050 | |
| 202-464-000-715 | Fringe Benefits | 108,630 | |
| 202-464-000-782 | Materials | 48,380 | |
| 202-464-000-943 | Equipment Rental | 91,080 | |
| | SUB-TOTAL | | $ 451,140 |

#### Overpass Maintenance

| | | | |
|---|---|---|---|
| 202-465-000-706 | Wages—Hourly | $ 1,200 | |
| 202-465-000-715 | Fringe Benefits | 640 | |
| 202-465-000-782 | Materials | 575 | |
| 202-465-000-818 | Maintenance Contract | 50,000 | |
| 202-465-000-943 | Equipment Rental | 592 | |
| | SUB-TOTAL | | $ 53,007 |

#### Street Cleaning

| | | | |
|---|---|---|---|
| 202-466-000-706 | Wages—Hourly | $ 77,970 | |
| 202-466-000-715 | Fringe Benefits | 41,710 | |
| 202-466-000-782 | Materials | 580 | |
| 202-466-000-943 | Equipment Rental | 115,345 | |
| | SUB-TOTAL | | $ 235,605 |

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### Curb & Gutter Repair

| | | | |
|---|---|---|---|
| 202-469-000-938 | Curb & Gutter Repair | $ 200,000 | |
| 202-469-001-938 | Recondition after Curb & Gutter | 50,000 | |
| | SUB-TOTAL | | $ 250,000 |

### Utility Pavement Cuts

| | | | |
|---|---|---|---|
| 202-470-000-706 | Wages—Hourly | $ 18,700 | |
| 202-470-000-715 | Fringe Benefits | 10,010 | |
| 202-470-000-782 | Materials | 13,800 | |
| 202-470-000-943 | Equipment Rental | 5,520 | |
| | SUB-TOTAL | | $ 48,030 |

### Roadside Mowing

| | | | |
|---|---|---|---|
| 202-471-000-706 | Wages—Hourly | $ 1,820 | |
| 202-471-000-715 | Fringe Benefits | 975 | |
| 202-471-000-943 | Equipment Rental | 335 | |
| | SUB-TOTAL | | $ 3,130 |

### Railroad Signals

| | | | |
|---|---|---|---|
| 202-472-000-801 | Maintenance Services | $ 4,000 | |
| | SUB-TOTAL | | $ 4,000 |

### Bridge Maintenance

| | | | |
|---|---|---|---|
| 202-473-000-706 | Wages—Hourly | $ 1,865 | |
| 202-473-000-715 | Fringe Benefits | 1,000 | |
| 202-473-000-782 | Materials | 1,255 | |
| 202-473-000-801 | Professional Services | 1,000 | |
| 202-473-000-943 | Equipment Rental | 600 | |
| | SUB-TOTAL | | $ 5,720 |
| | TOTAL ROUTINE MAINTENANCE—ROADS AND STREETS | | $ 1,050,632 |

## TRAFFIC SERVICES

### Pavement Markings

| | | | |
|---|---|---|---|
| 202-475-000-702 | Salaries | $ 5,250 | |
| 202-475-000-706 | Wages—Hourly | 14,330 | |
| 202-475-000-715 | Fringe Benefits | 10,475 | |
| 202-475-000-782 | Materials | 28,800 | |
| 202-475-000-943 | Equipment Rental | 15,000 | |
| | SUB-TOTAL | | $ 73,855 |

### Signals & Signs

| | | | |
|---|---|---|---|
| 202-477-000-702 | Salaries | $ 4,115 | |
| 202-477-000-706 | Wages—Hourly | 21,950 | |
| 202-477-000-715 | Fringe Benefits | 13,945 | |
| 202-477-000-782 | Materials—Signs | 31,200 | |
| 202-477-000-920 | Signal Utilities | 37,260 | |
| 202-477-000-933 | Signal Maintenance | 136,800 | |
| 202-447-000-943 | Equipment Rental | 7,000 | |
| 202-477-000-974 | Signal Improvements | 31,500 | |
| 202-477-000-977 | Signal Equipment | 41,940 | |
| | SUB-TOTAL | | $ 325,710 |
| | TOTAL TRAFFIC SERVICES | | $ 399,565 |

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### Winter Maintenance — Snow Removal

| | | | |
|---|---|---|---|
| 202-478-000-706 | Wages—Hourly | $ 124,855 | |
| 202-478-000-715 | Fringe Benefits | 66,797 | |
| 202-478-000-782 | Materials | 165,000 | |
| 202-478-000-943 | Equipment Rental | 114,500 | |
| | TOTAL | | $ 471,152 |

## ADMINISTRATION

### Operations and Maintenance

| | | | |
|---|---|---|---|
| 202-482-000-702 | Salaries & Longevity | $ 18,004 | |
| 202-482-000-715 | Fringe Benefits | 9,632 | |
| | SUB-TOTAL | | $ 27,636 |

### Traffic

| | | | |
|---|---|---|---|
| 202-482-001-702 | Salaries & Longevity | $ 22,655 | |
| 202-482-001-715 | Fringe Benefits | 12,120 | |
| | SUB-TOTAL | | $ 34,775 |

### General

| | | | |
|---|---|---|---|
| 202-482-200-801 | Professional Services | $ 4,500 | |
| 202-482-200-802 | Administrative Charges | 103,533 | |
| | SUB-TOTAL | | $ 108,033 |
| | TOTAL ADMINISTRATION | | $ 170,444 |

## ENGINEERING

### Traffic Computer

| | | | |
|---|---|---|---|
| 202-483-002-702 | Salaries & Longevity | $ 14,110 | |
| 202-483-002-715 | Fringe Benefits | 7,550 | |
| 202-483-002-740 | Operating Supplies | 500 | |
| 202-483-002-920 | Utilities | 2,430 | |
| 202-483-002-931 | Building Maintenance | 585 | |
| 202-483-002-937 | Equipment Maintenance | 9,700 | |
| 202-483-002-943 | Building Rental | 950 | |
| | SUB-TOTAL | | $ 35,825 |

### Traffic Surveys

| | | | |
|---|---|---|---|
| 202-483-003-702 | Salaries & Longevity | $ 2,725 | |
| 202-483-003-706 | Wages—Hourly | 3,550 | |
| 202-483-003-715 | Fringe Benefits | 3,360 | |
| 202-483-003-740 | Operating Supplies | 500 | |
| 202-483-003-943 | Equipment Rental | 6,000 | |
| | SUB-TOTAL | | $ 16,135 |
| | TOTAL ENGINEERING | | $ 51,960 |

### Trunkline Maintenance

| | | | |
|---|---|---|---|
| 202-486-103-936 | Trunkline Maintenance | $ 365,360 | |
| 202-486-104-936 | Maintenance—City | 5,000 | |
| | TOTAL | | $ 370,360 |
| | GRAND TOTAL— TOTAL MAJOR STREETS | | $ 2,921,113 |

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# ACT 51 OF P.A. 1951 FUND BUDGET

## For the Fiscal Year Ending June 30, 1982

### LOCAL STREET FUND

### ESTIMATED REVENUES

| | |
|---|---|
| Gas and Weight Tax and Other Revenues | $ 740,000 |
| Transfer from Major Street Fund | 300,000 |
| General Fund Subsidy | 500,000 |
| From Fund Balance | 12,578 |
| TOTAL | $ 1,552,578 |

### APPROPRIATIONS

### CONSTRUCTION—LOCAL STREETS

| | | | |
|---|---|---|---|
| 203-456-615-974 | Curb & Gutter Construction | $ 5,000 | |
| 203-457-616-974 | Recondition After Curb & Gutter | 26,800 | |
| | TOTAL CONSTRUCTION—LOCAL STREETS | | $ 31,800 |

### ROUTINE MAINTENANCE—ROADS & STREETS

#### Surface Maintenance

| | | | |
|---|---|---|---|
| 203-464-000-706 | Wages—Hourly | $ 192,220 | |
| 203-464-000-715 | Fringe Benefits | 102,840 | |
| 203-464-000-782 | Materials | 105,800 | |
| 203-464-000-943 | Equipment Rental | 89,700 | |
| | SUB-TOTAL | | $ 490,560 |

#### Street Cleaning

| | | | |
|---|---|---|---|
| 203-466-000-706 | Wages—Hourly | $ 82,515 | |
| 203-466-000-715 | Fringe Benefits | 44,145 | |
| 203-466-000-782 | Materials | 460 | |
| 203-466-000-943 | Equipment Rental | 123,900 | |
| | SUB-TOTAL | | $ 251,020 |

#### Unpaved Streets

| | | | |
|---|---|---|---|
| 203-468-000-706 | Wages—Hourly | $ 61,887 | |
| 203-468-000-715 | Fringe Benefits | 33,109 | |
| 203-468-000-782 | Materials | 12,420 | |
| 203-468-000-943 | Equipment Rental | 46,575 | |
| | SUB-TOTAL | | $ 153,991 |

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### Dust Prevention

| | | | |
|---|---|---|---|
| 203-468-100-706 | Wages—Hourly | $ 1,540 | |
| 203-468-100-715 | Fringe Benefits | 820 | |
| 203-468-100-782 | Materials | 22,080 | |
| 203-468-100-943 | Equipment Rental | 2,480 | |
| | SUB-TOTAL | | $ 26,920 |

### Utility Pavement Cuts

| | | | |
|---|---|---|---|
| 203-470-000-706 | Wages—Hourly | $ 23,332 | |
| 203-470-000-715 | Fringe Benefits | 12,483 | |
| 203-470-000-782 | Materials | 20,700 | |
| 203-470-000-943 | Equipment Rental | 7,920 | |
| | SUB-TOTAL | | $ 64,435 |

### Roadside Mowing

| | | | |
|---|---|---|---|
| 203-471-000-706 | Wages—Hourly | $ 1,850 | |
| 203-471-000-715 | Fringe Benefits | 990 | |
| 203-471-000-943 | Equipment Rental | 240 | |
| | SUB-TOTAL | | $ 3,080 |
| | TOTAL ROUTINE MAINTENANCE—ROADS AND STREETS | | $ 990,006 |

## TRAFFIC SERVICES

### Pavement Markings

| | | | |
|---|---|---|---|
| 203-475-000-702 | Salaries & Longevity | $ 560 | |
| 203-475-000-706 | Wages—Hourly | 3,550 | |
| 203-475-000-715 | Fringe Benefits | 2,200 | |
| 203-475-000-782 | Materials | 7,200 | |
| 203-475-000-943 | Equipment Rental | 2,000 | |
| | SUB-TOTAL | | $ 15,510 |

### Signals & Signs

| | | | |
|---|---|---|---|
| 203-477-000-702 | Salaries | $ 3,180 | |
| 203-477-000-706 | Wages—Hourly | 20,315 | |
| 203-477-000-715 | Fringe Benefits | 12,570 | |
| 203-477-000-782 | Materials—Signs | 16,800 | |
| 203-477-000-920 | Signal Utilities | 4,140 | |
| 203-477-000-933 | Signal Maintenance | 15,200 | |
| 203-477-000-943 | Equipment Rental | 5,300 | |
| 203-477-000-974 | Signal Improvements | 3,500 | |
| 203-477-000-977 | Signal Equipment | 4,660 | |
| | SUB-TOTAL | | $ 85,665 |
| | TOTAL TRAFFIC SERVICES | | $ 101,175 |

### Winter Maintenance — Snow Removal

| | | | |
|---|---|---|---|
| 203-478-000-706 | Wages—Hourly | $ 109,370 | |
| 203-478-000-715 | Fringe Benefits | 58,510 | |
| 203-478-000-782 | Materials | 54,900 | |
| 203-478-000-943 | Equipment Rental | 82,800 | |
| | TOTAL WINTER MAINTENANCE | | $ 305,580 |

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## ADMINISTRATION

### Operations and Maintenance

| | | | |
|---|---|---|---|
| 203-482-000-702 | Salaries & Longevity | $ 12,002 | |
| 203-482-000-715 | Fringe Benefits | 6,421 | |
| | SUB-TOTAL | | $ 18,423 |

### Traffic

| | | | |
|---|---|---|---|
| 203-482-001-702 | Salaries & Longevity | $ 8,425 | |
| 203-482-001-715 | Fringe Benefits | 4,510 | |
| | SUB-TOTAL | | $ 12,935 |

### General

| | | | |
|---|---|---|---|
| 203-482-200-802 | Administrative Charges | $ 81,794 | |
| 203-482-200-807 | Audit Fees | 2,700 | |
| | SUB-TOTAL | | $ 84,494 |
| | TOTAL ADMINISTRATION | | $ 115,852 |

## ENGINEERING

### Traffic Computer

| | | | |
|---|---|---|---|
| 203-483-002-702 | Salaries & Longevity | $ 1,570 | |
| 203-483-002-715 | Fringe Benefits | 840 | |
| 203-483-002-920 | Utilities | 270 | |
| 203-483-002-931 | Building Maintenance | 65 | |
| 203-483-002-937 | Equipment Maintenance | 1,100 | |
| 203-483-002-942 | Building Rental | 110 | |
| | SUB-TOTAL | | $ 3,955 |

### Traffic Surveys

| | | | |
|---|---|---|---|
| 203-483-003-702 | Salaries | $ 625 | |
| 203-483-003-706 | Wages—Hourly | 1,270 | |
| 203-483-003-715 | Fringe Benefits | 1,015 | |
| 203-483-003-740 | Operating Supplies | 300 | |
| 203-483-003-943 | Equipment Rental | 1,000 | |
| | SUB-TOTAL | | $ 4,210 |
| | TOTAL ENGINEERING | | $ 8,165 |
| | GRAND TOTAL— LOCAL STREETS | | $ 1,552,578 |

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# FEDERAL REVENUE SHARING FUND BUDGET

## 12TH/13TH ENTITLEMENT PERIOD

## For the Fiscal Year Ending June 30, 1982

### ESTIMATED REVENUES

| | |
|---|---|
| Federal Shared Revenues | $ 3,000,000 |
| Interest on Investments | 200,000 |
| From Fund Balance | 300,000 |
| TOTAL ESTIMATED REVENUES | $ 3,500,000 |

### APPROPRIATIONS

| | | | |
|---|---|---|---|
| 249-316-000-702 | Police Salaries—Uniform Division | $ 3,500,000 | |
| | GRAND TOTAL—FEDERAL REVENUE SHARING FUND | | $ 3,500,000 |

# DEBT RETIREMENT FUND BUDGET

## For the Fiscal Year Ending June 30, 1982

### ESTIMATED REVENUES

| | |
|---|---|
| Tax Levy of $0.67 per thousand on Assessed Valuation of $1,062,876,498 | $ 712,127 |
| Interest Income | 20,000 |
| Single Business Tax | 80,000 |
| Contributions from Other Funds | 965,669 |
| From Fund Balance | 88,637 |
| TOTAL | $ 1,866,433 |

### APPROPRIATIONS

**GENERAL FUND——**

**Bond Principal**

| | | | |
|---|---|---|---|
| 301-945-974-991 | 1963 Storm Sewer Drains | $ 200,000 | |
| 301-945-975-991 | 1963 Fire Stations | 5,000 | |
| 301-945-977-991 | 1969 Street Improvements | 350,000 | |
| 301-945-978-991 | 1969 Storm Sewer Drains | 150,000 | |
| | TOTAL | | $ 705,000 |

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### Interest

| | | | |
|---|---|---|---|
| 301-945-974-995 | 1963 Storm Sewer Drains | $ 43,814 | |
| 301-945-975-995 | 1963 Fire Stations | 1,514 | |
| 301-945-977-995 | 1969 Street Improvements | 55,000 | |
| 301-945-978-995 | 1969 Storm Sewer Drains | 95,000 | |
| | TOTAL | | $ 195,328 |

### Paying Agent Fees

| | | | |
|---|---|---|---|
| 301-945-974-999 | 1963 Storm Sewer Drains | $ 92 | |
| 301-945-975-999 | 1963 Fire Stations | 4 | |
| 301-945-977-999 | 1969 Street Improvements | 177 | |
| 301-945-978-999 | 1969 Storm Sewer Drains | 163 | |
| | TOTAL | | $ 436 |
| | TOTAL GENERAL FUND | | $ 900,764 |

## SEWAGE DISPOSAL SYSTEM

### Bond Principal

| | | | |
|---|---|---|---|
| 301-946-982-991 | 1962 Sewage—Garbage | $ 200,000 | |
| 301-946-983-991 | 1963 Sanitary Sewer | 75,000 | |
| 301-946-984-991 | 1963 Sewage Plant | 100,000 | |
| 301-946-985-991 | 1974 Sewage System | 250,000 | |
| | TOTAL | | $ 625,000 |

### Interest

| | | | |
|---|---|---|---|
| 301-946-982-995 | 1962 Sewage—Garbage | $ 54,000 | |
| 301-946-983-995 | 1963 Sanitary Sewer | 14,200 | |
| 301-946-984-995 | 1963 Sewage Disposal Plant | 18,126 | |
| 301-946-985-995 | 1974 Sewage Disposal System | 253,276 | |
| | TOTAL | | $ 339,602 |

### Paying Agent Fees

| | | | |
|---|---|---|---|
| 301-946-982-999 | 1962 Sewage—Garbage | $ 285 | |
| 301-946-983-999 | 1963 Sanitary Sewer | 32 | |
| 301-946-984-999 | 1963 Sewage Disposal Plant | 40 | |
| 301-946-985-999 | 1974 Sewage Disposal System | 710 | |
| | TOTAL | | $ 1,067 |
| | TOTAL SEWAGE DISPOSAL | | $ 965,669 |
| | GRAND TOTAL—DEBT RETIREMENT FUND | | $ 1,866,433 |

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# MUNICIPAL CEMETERIES FUND BUDGET

## For the Fiscal Year Ending June 30, 1982

### ESTIMATED REVENUES

| | |
|---|---|
| Operating Revenues | $ 469,597 |
| Interest from Perpetual Care Fund | 96,000 |
| General Fund Subsidy | 162,403 |
| TOTAL | $ 428,000 |

### APPROPRIATIONS

#### ADMINISTRATION

| | | | |
|---|---|---|---|
| 516-536-000-702 | Salaries | $ 52,700 | |
| 516-536-000-708 | Overtime—Salary | 3,000 | |
| 516-536-000-712 | Longevity | 1,400 | |
| 516-536-000-715 | Fringe Benefits | 75,550 | |
| 516-536-000-741 | Miscellaneous & Operating Expenses | 5,600 | |
| 516-536-000-802 | Administrative Charges | 46,550 | |
| 516-536-000-977 | Equipment | 9,300 | |
| | SUB-TOTAL | | $ 194,100 |

#### PAID SERVICES—BURIAL AND SPECIAL CARE

| | | | |
|---|---|---|---|
| 516-537-000-706 | Wages—Hourly | $ 42,150 | |
| 516-537-000-709 | Overtime—Hourly | 10,000 | |
| 516-537-000-740 | Operating Supplies | 5,500 | |
| 516-537-000-751 | Gasoline | 5,550 | |
| | SUB-TOTAL | | $ 63,200 |

#### GROUNDS MAINTENANCE

| | | | |
|---|---|---|---|
| 516-538-000-706 | Wages—Hourly | $ 123,700 | |
| 516-538-000-709 | Overtime—Hourly | 8,200 | |
| 516-538-000-740 | Operating Supplies | 6,500 | |
| 516-538-000-751 | Gasoline | 8,850 | |
| 516-538-000-920 | Utilities | 4,100 | |
| 516-538-000-930 | Repair & Maintenance | 11,850 | |
| 516-538-000-933 | Equipment Maintenance | 7,500 | |
| | SUB-TOTAL | | $ 170,700 |
| | DIVISION TOTAL | | $ 428,000 |

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# MUNICIPAL PARKING SYSTEM FUND BUDGET

## For the Fiscal Year Ending June 30, 1982

### ESTIMATED REVENUES

| | |
|---|---|
| Operating Revenues | $ 2,040,000 |
| From Retained Earnings | 132,063 |
| TOTAL | $ 2,172,063 |

### APPROPRIATIONS

### ADMINISTRATIVE AND GENERAL

| | | | |
|---|---|---|---|
| 585-536-000-702 | Salaries & Longevity | $ 75,478 | |
| 585-536-000-706 | Wages—Hourly | 12,795 | |
| 585-536-000-708 | Overtime—Salary | 400 | |
| 585-536-000-715 | Fringe Benefits | 28,417 | |
| 585-536-000-728 | Dues & Subscriptions | 180 | |
| 585-536-000-740 | Operating Supplies | 4,500 | |
| 585-536-000-801 | Professional Services | 23,500 | |
| 585-536-000-802 | Administrative Charges | 145,854 | |
| 585-536-000-853 | Telephone | 1,440 | |
| 585-536-000-864 | Conferences & Workshops | 600 | |
| 585-536-000-867 | Vehicle Operating Expense | 8,200 | |
| 585-536-000-871 | Parking Subsidy | 2,700 | |
| 585-536-000-910 | Insurance | 12,775 | |
| | TOTAL | | $ 316,839 |

### PARKING METER COLLECTIONS

| | | | |
|---|---|---|---|
| 585-545-000-702 | Salaries & Longevity | $ 43,780 | |
| 585-545-000-708 | Overtime—Salary | 200 | |
| 585-545-000-715 | Fringe Benefits | 13,634 | |
| 585-545-000-867 | Vehicle Operating Expense | 800 | |
| 585-545-000-933 | Equipment Maintenance | 300 | |
| 585-545-000-977 | Equipment | 1,047 | |
| | TOTAL | | $ 59,761 |

### METER MAINTENANCE

| | | | |
|---|---|---|---|
| 585-546-000-706 | Wages—Hourly | $ 34,830 | |
| 585-546-000-715 | Fringe Benefits | 13,322 | |
| 585-546-000-740 | Operating Supplies | 250 | |
| 585-546-000-867 | Vehicle Operating Expense | 1,200 | |
| 585-546-000-933 | Equipment Maintenance | 3,200 | |
| 585-546-000-977 | Equipment | 18,313 | |
| | TOTAL | | $ 71,115 |

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## PARKING METER CHECKERS

| | | | |
|---|---|---|---|
| 585-547-000-706 | Wages—Hourly | $ 108,564 | |
| 585-547-000-715 | Fringe Benefits | 41,526 | |
| 585-547-000-740 | Operating Supplies | 1,500 | |
| 585-547-000-867 | Vehicle Operating Expense | 1,500 | |
| 585-547-000-977 | Equipment | 11,200 | |
| | TOTAL | | $ 164,290 |

## VIOLATIONS BUREAU

| | | | |
|---|---|---|---|
| 585-548-000-702 | Salaries & Longevity | $ 41,709 | |
| 585-548-000-715 | Fringe Benefits | 12,930 | |
| 585-548-000-730 | Postage | 26,000 | |
| 585-548-000-740 | Operating Supplies | 10,500 | |
| | TOTAL | | $ 91,139 |

## PARKING SNOW REMOVAL

| | | | |
|---|---|---|---|
| 585-549-000-708 | Wages and Hourly Overtime | $ 6,500 | |
| 585-549-000-715 | Fringe Benefits | 2,487 | |
| 585-549-000-740 | Operating Supplies | 900 | |
| 585-549-000-933 | Equipment Maintenance | 600 | |
| 585-549-000-943 | Equipment Rental | 6,000 | |
| | TOTAL | | $ 16,487 |

## PARKING LOTS

| | | | |
|---|---|---|---|
| 585-570-400-706 | Wages—Hourly | $ 12,295 | |
| 585-570-400-715 | Fringe Benefits | 4,703 | |
| 585-570-400-740 | Operating Supplies | 3,500 | |
| 585-570-406-920 | Lot No. 6 Utilities | 170 | |
| 585-570-409-920 | Lot No. 9 Utilities | 300 | |
| 585-570-415-920 | Lot No. 15 Utilities | 600 | |
| 585-570-415-940 | Lot No. 15 Rent | 4,500 | |
| 585-570-418-920 | Lot No. 18 Utilities | 600 | |
| 585-570-424-920 | Lot No. 24 Utilities | 450 | |
| 585-570-400-930 | DT Maintenance Contract | 892 | |
| 585-570-400-932 | Maintenance | 3,800 | |
| 585-570-438-940 | Lot No. 38 Rent | 5,760 | |
| | TOTAL | | $ 37,570 |

### Lot Nos. 25, 26, 27—100-300 Blk. S. Washington

| | | | |
|---|---|---|---|
| 585-570-425-706 | Wages—Hourly | $ 4,884 | |
| 585-570-425-707 | Wages—Temporary Help | 31,356 | |
| 585-570-425-715 | Fringe Benefits | 7,591 | |
| 585-570-425-740 | Supplies | 3,000 | |
| 585-570-425-920 | Utilities | 1,200 | |
| 585-570-425-930 | Maintenance Contract | 3,750 | |
| 585-570-425-932 | Maintenance | 2,000 | |
| | TOTAL | | $ 53,781 |

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## GARAGE NO. 1—127 S. Grand Avenue

| | | | |
|---|---|---|---|
| 585-571-451-706 | Wages—Hourly | $ 32,693 | |
| 585-571-451-715 | Fringe Benefits | 12,506 | |
| 585-571-451-740 | Supplies | 2,000 | |
| 585-571-451-813 | Custodial Services | 8,000 | |
| 585-571-451-910 | Insurance | 3,100 | |
| 585-571-451-920 | Utilities | 22,300 | |
| 585-571-451-931 | Building Maintenance | 4,000 | |
| 585-571-451-932 | DT Maintenance Contract | 1,449 | |
| 585-571-451-933 | Elevator Maintenance Contract | 7,880 | |
| | TOTAL | | $ 93,928 |

## GARAGE NO. 2—320 S. Capitol Avenue

| | | | |
|---|---|---|---|
| 585-571-452-706 | Wages—Hourly | $ 28,421 | |
| 585-571-452-707 | Wages—Temporary Help | 27,866 | |
| 585-571-452-715 | Fringe Benefits | 15,957 | |
| 585-571-452-740 | Supplies | 6,000 | |
| 585-571-452-813 | Custodial Services | 8,000 | |
| 585-571-452-910 | Insurance | 3,100 | |
| 585-571-452-920 | Utilities | 42,000 | |
| 585-571-452-930 | Maintenance Contract | 3,750 | |
| 585-571-452-931 | Building Maintenance | 4,400 | |
| 585-571-452-932 | DT Maintenance Contract | 1,265 | |
| 585-571-452-933 | Elevator Maintenance Contract | 10,135 | |
| | TOTAL | | $ 150,894 |

## GARAGE NO. 3—219 N. Grand Avenue

| | | | |
|---|---|---|---|
| 585-571-453-706 | Wages—Hourly | $ 36,205 | |
| 585-571-453-715 | Fringe Benefits | 13,849 | |
| 585-571-453-740 | Supplies | 3,000 | |
| 585-571-453-813 | Custodial Contract Services | 9,000 | |
| 585-571-453-910 | Insurance | 4,550 | |
| 585-571-453-920 | Utilities | 66,000 | |
| 585-571-453-931 | Building Maintenance | 14,500 | |
| 585-571-453-932 | DT Maintenance Contract | 3,277 | |
| 585-571-453-933 | Elevator Maintenance Contract | 5,300 | |
| | TOTAL | | $ 155,681 |

## GARAGE NO. 4—300 N. Capitol Avenue

| | | | |
|---|---|---|---|
| 585-571-454-706 | Wages—Hourly | $ 31,198 | |
| 585-571-454-715 | Fringe Benefits | 11,934 | |
| 585-571-454-740 | Supplies | 1,000 | |
| 585-571-454-813 | Custodial Contract Service | 9,000 | |
| 585-571-454-910 | Insurance | 4,455 | |
| 585-571-454-920 | Utilities | 68,000 | |
| 585-571-454-931 | Building Maintenance | 8,000 | |
| 585-571-454-932 | DT Maintenance Contract | 2,756 | |
| 585-571-454-933 | Elevator Maintenance Contract | 7,950 | |
| 585-571-454-961 | Taxes | 18,000 | |
| | TOTAL | | $ 162,293 |
| | TOTAL OPERATING BUDGET | | $ 1,373,778 |

## DEBT SERVICE

| | | | |
|---|---|---|---|
| 585-599-980-991 | Bond Principal | $ 130,000 | |
| 585-599-980-995 | Bond Interest | 128,285 | |
| 585-599-981-998 | Building Authority Lease Payment | 540,000 | |
| | TOTAL DEBT SERVICE | | $ 798,285 |
| | GRAND TOTAL | | $ 2,172,063 |

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# SEWAGE DISPOSAL SYSTEM FUND BUDGET

## For the Fiscal Year Ending June 30, 1982

### ESTIMATED REVENUES

| | |
|---|---|
| Operating Revenues | $ 5,500,000 |
| From Retained Earnings | 737,014 |
| TOTAL | $ 6,237,014 |

### APPROPRIATIONS

### ADMINISTRATION AND GENERAL

| | | | |
|---|---|---|---|
| 590-536-000-702 | Salaries & Longevity | $ 154,849 | |
| 590-536-000-706 | Wages—Hourly | 854,596 | |
| 590-536-000-708 | Overtime—Salary | 2,000 | |
| 590-536-000-709 | Overtime—Hourly | 70,000 | |
| 590-536-000-715 | Fringe Benefits | 552,880 | |
| 590-536-000-740 | Operating Supplies | 12,000 | |
| 590-536-000-741 | Miscellaneous & Operating Expenses | 140,000 | |
| 590-536-000-743 | Chemicals | 275,000 | |
| 590-536-000-802 | Administrative Charges | 399,853 | |
| 590-536-000-803 | Collection Fee | 234,061 | |
| 590-536-000-864 | Conferences & Workshops | 990 | |
| 590-536-000-910 | Insurance | 77,250 | |
| 590-536-000-920 | Utilities | 1,268,000 | |
| 590-536-000-933 | Equipment Maintenance | 418,000 | |
| 590-536-000-943 | Equipment Rental | 5,000 | |
| 590-536-000-977 | Equipment | 14,059 | |
| 590-536-608-974 | City Portion—Sanitary Sewers | 150,000 | |
| 590-536-609-974 | City Share—Delta Sewers | 4,500 | |
| 590-536-610-974 | City Share—Delhi Sewers | 24,000 | |
| 590-536-611-974 | Montgomery Drain | 9,650 | |
| 590-536-612-974 | 201 Facilities Plan | 31,027 | |
| | TOTAL—ADMINISTRATION AND GENERAL | | $ 4,697,715 |

### SANITARY SEWERS

#### Cleaning

| | | | |
|---|---|---|---|
| 590-561-000-706 | Wages—Hourly | $ 154,850 | |
| 590-561-000-743 | Chemicals | 250 | |
| 590-561-000-943 | Equipment Rental | 80,500 | |
| | SUB-TOTAL | | $ 235,600 |

#### Repairs

| | | | |
|---|---|---|---|
| 590-562-000-706 | Wages—Hourly | $ 64,700 | |
| 590-562-000-740 | Operating Supplies | 14,500 | |
| 590-562-000-943 | Equipment Rental | 34,500 | |
| | SUB-TOTAL | | $ 113,700 |

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### Inspection

| | | | |
|---|---|---|---|
| 590-563-000-706 | Wages—Hourly | $ 36,600 | |
| 590-563-000-801 | Professional Services—TV Inspection | 5,000 | |
| 590-563-000-943 | Equipment Rental | 7,475 | |
| | SUB-TOTAL | | $ 49,075 |

### Complaints

| | | | |
|---|---|---|---|
| 590-564-000-706 | Wages—Hourly | $ 19,700 | |
| 590-564-000-943 | Equipment Rental | 6,900 | |
| | SUB-TOTAL | | $ 26,600 |

### Installation of Taps and Yees

| | | | |
|---|---|---|---|
| 590-565-000-706 | Wages—Hourly | $ 5,640 | |
| 590-565-000-740 | Operating Supplies | 1,500 | |
| 590-565-000-943 | Equipment Rental | 5,750 | |
| | SUB-TOTAL | | $ 12,890 |
| | TOTAL—SANITARY SEWER | | $ 437,865 |

## INDUSTRIAL LAB

| | | | |
|---|---|---|---|
| 590-566-000-702 | Salaries | $ 23,032 | |
| 590-566-000-706 | Wages | 56,950 | |
| 590-566-000-708 | Overtime—Salary | 1,500 | |
| 590-566-000-715 | Fringe Benefits | 29,083 | |
| 590-566-000-741 | Miscellaneous & Operating Expenses | 2,200 | |
| 590-566-000-743 | Chemicals | 2,000 | |
| 590-566-000-930 | Repair & Maintenance | 5,500 | |
| 590-566-000-943 | Equipment Rental | 5,000 | |
| 590-566-000-960 | Education & Training | 500 | |
| 590-566-105-977 | Laboratory Equipment | 4,000 | |
| 590-566-108-977 | Field Equipment | 6,000 | |
| | TOTAL—INDUSTRIAL LAB | | $ 135,765 |

## NON-OPERATING

| | | | |
|---|---|---|---|
| 590-599-000-991 | Bond Principal | $ 625,000 | |
| 590-599-000-995 | Interest | 340,669 | |
| | TOTAL—DEBT SERVICE | | $ 965,669 |
| | GRAND TOTAL—SEWAGE DISPOSAL SYSTEM FUND | | $ 6,237,014 |

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# CIVIC CENTER FUND BUDGET

## For the Fiscal Year Ending June 30, 1982

### ESTIMATED REVENUES

| | |
|---|---|
| Rentals and Service Revenues | $ 512,950 |
| Utilities | 190,000 |
| Operating Subsidy | 346,920 |
| TOTAL | $ 1,049,870 |

### APPROPRIATIONS

#### ADMINISTRATION & GENERAL

| | | | |
|---|---|---|---|
| 593-536-000-702 | Salaries & Longevity | $ 133,050 | |
| 593-536-000-706 | Wages—Hourly | 295,500 | |
| 593-536-000-708 | Overtime—Salary | 500 | |
| 593-536-000-709 | Overtime—Hourly | 16,600 | |
| 593-536-000-715 | Fringe Benefits | 164,800 | |
| 593-536-000-741 | Miscellaneous & Operating Expenses | 3,200 | |
| 593-536-000-802 | Administrative Charges | 63,150 | |
| 593-536-000-853 | Telephone | 6,000 | |
| 593-536-000-860 | Transportation Expense | 750 | |
| 593-536-000-864 | Conferences & Workshops | 680 | |
| 593-536-000-901 | Advertising | 8,700 | |
| 593-536-000-910 | Insurance | 13,100 | |
| | TOTAL ADMINISTRATION AND GENERAL | | $ 706,030 |

#### BUILDING OPERATIONS

| | | | |
|---|---|---|---|
| 593-539-000-707 | Wages—Temporary Help | $ 21,000 | |
| 593-539-000-801 | Professional Services | 51,500 | |
| 593-539-000-920 | Utilities | 190,000 | |
| 593-539-000-930 | Repair & Maintenance (Building & Grounds) | 40,500 | |
| 593-539-000-931 | Project Maintenance | 31,670 | |
| 593-539-000-977 | Equipment | 3,570 | |
| | TOTAL—BUILDING OPERATIONS | | $ 338,240 |

#### PARKING LOT OPERATIONS

| | | | |
|---|---|---|---|
| 593-570-000-816 | Contract Services—Snow Removal | $ 3,600 | |
| 593-570-000-930 | Repair & Maintenance | 2,000 | |
| | TOTAL—PARKING LOT OPERATIONS | | $ 5,600 |
| | GRAND TOTAL—CIVIC CENTER FUND | | $ 1,049,870 |

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# GARBAGE AND RUBBISH COLLECTION FUND BUDGET

## For the Fiscal Year Ending June 30, 1982

### ESTIMATED REVENUES

| | |
|---|---|
| Sale of Services | $ 1,145,833 |
| General Fund Subsidy | 227,467 |
| TOTAL | $ 1,373,300 |

### APPROPRIATIONS

| | | | |
|---|---|---|---|
| 596-550-000-702 | Salaries & Longevity | $ 13,484 | |
| 596-550-000-706 | Wages—Hourly | 306,328 | |
| 596-550-000-707 | Wages—Temporary Help | 50,500 | |
| 596-550-000-709 | Overtime—Hourly | 15,300 | |
| 596-550-000-715 | Fringe Benefits | 136,419 | |
| 596-550-000-740 | Operating Supplies | 3,000 | |
| 596-550-000-741 | Miscellaneous & Operating Expenses | 5,000 | |
| 596-550-000-755 | Refuse Bags | 343,750 | |
| 596-550-000-802 | Administrative Charges | 71,519 | |
| 596-550-000-867 | Vehicle Operating Expense | 127,400 | |
| 596-550-000-910 | Insurance | 8,035 | |
| 596-550-000-920 | Utilities | 6,500 | |
| 596-550-000-929 | Landfill Fees | 214,500 | |
| 596-550-000-943 | Equipment Rental | 71,565 | |
| | TOTAL OPERATING | | $ 1,373,300 |

# SERVICE GARAGE FUND BUDGET (Memo Only)

## For the Fiscal Year Ending June 30, 1982

### ESTIMATED REVENUES FROM EQUIPMENT RENTALS

| | |
|---|---|
| Equipment Rental Revenue | $ 1,300,000 |
| Retained Earnings | 483,242 |
| TOTAL | $ 1,783,242 |

### APPROPRIATIONS

### ADMINISTRATION & GENERAL

| | | | |
|---|---|---|---|
| 640-536-000-702 | Salaries & Longevity | $ 26,631 | |
| 640-536-000-706 | Wages—Hourly | 200,734 | |
| 640-536-000-715 | Fringe Benefits | 85,036 | |
| 640-536-000-740 | Operating Supplies | 15,094 | |
| 640-536-000-802 | Administrative Charges | 143,435 | |
| 640-536-000-910 | Insurance | 7,850 | |
| 640-536-000-920 | Utilities | 27,225 | |
| 640-536-000-977 | Equipment | 10,000 | |
| | TOTAL—ADMINISTRATION AND GENERAL | | $ 516,005 |

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## OPERATIONS

### Building Maintenance

| | | | |
|---|---|---|---|
| 640-961-000-931 | Building Maintenance | $ 34,687 | |
| | SUB-TOTAL | | $ 34,687 |

### Truck Operations

| | | | |
|---|---|---|---|
| 640-962-000-706 | Wages | $ 61,037 | |
| 640-962-000-715 | Fringe Benefits | 23,347 | |
| 640-962-000-740 | Operating Supplies | 115,000 | |
| 640-962-000-933 | Equipment Maintenance | 122,500 | |
| | SUB-TOTAL | | $ 321,884 |

### Flusher Operations

| | | | |
|---|---|---|---|
| 640-963-000-706 | Wages | $ 1,564 | |
| 640-963-000-715 | Fringe Benefits | 598 | |
| 640-963-000-740 | Operating Supplies | 7,800 | |
| 640-963-000-933 | Equipment Maintenance | 3,325 | |
| | SUB-TOTAL | | $ 13,287 |

### Sweeper Operations

| | | | |
|---|---|---|---|
| 640-964-000-706 | Wages | $ 14,792 | |
| 640-964-000-715 | Fringe Benefits | 5,658 | |
| 640-964-000-740 | Operating Supplies | 12,500 | |
| 640-964-000-933 | Equipment Maintenance | 34,000 | |
| | SUB-TOTAL | | $ 66,950 |

### Tractor Operations

| | | | |
|---|---|---|---|
| 640-965-000-706 | Wages | $ 9,036 | |
| 640-965-000-715 | Fringe Benefits | 3,456 | |
| 640-965-000-740 | Operating Supplies | 4,600 | |
| 640-965-000-933 | Equipment Maintenance | 9,500 | |
| | SUB-TOTAL | | $ 26,592 |

### Grader Operations

| | | | |
|---|---|---|---|
| 640-966-000-706 | Wages | $ 4,915 | |
| 640-966-000-715 | Fringe Benefits | 1,880 | |
| 640-966-000-740 | Operating Supplies | 3,700 | |
| 640-966-000-933 | Equipment Maintenance | 13,000 | |
| | SUB-TOTAL | | $ 23,495 |

### Shovel Operations

| | | | |
|---|---|---|---|
| 640-967-000-706 | Wages | $ 1,875 | |
| 640-967-000-715 | Fringe Benefits | 717 | |
| 640-967-000-740 | Operating Supplies | 725 | |
| 640-967-000-933 | Equipment Maintenance | 3,025 | |
| | SUB-TOTAL | | $ 6,342 |

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### Equipment Operations

| | | | |
|---|---|---|---|
| 640-968-000-706 | Wages | $ 5,867 | |
| 640-968-000-715 | Fringe Benefits | 2,244 | |
| 640-968-000-740 | Operating Supplies | 4,300 | |
| 640-968-000-933 | Equipment Maintenance | 12,500 | |
| | SUB-TOTAL | | $ 24,911 |

### Traffic Department Operations

| | | | |
|---|---|---|---|
| 640-969-000-706 | Wages | $ 1,205 | |
| 640-969-000-715 | Fringe Benefits | 461 | |
| 640-969-000-740 | Operating Supplies | 4,200 | |
| 640-969-000-933 | Equipment Maintenance | 4,500 | |
| | SUB-TOTAL | | $ 10,366 |
| | TOTAL—OPERATIONS | | $ 528,514 |

### New Equipment (Vehicles)

| | | | |
|---|---|---|---|
| 640-970-000-985 | Vehicles & Miscellaneous Equipment | $ 738,723 | |
| | TOTAL NEW EQUIPMENT | | $ 738,723 |
| | GRAND TOTAL—SERVICE GARAGE FUND | | $ 1,783,242 |

## PARK TRUST FUND BUDGET

### ESTIMATED REVENUES

| | | | |
|---|---|---|---|
| 712-000-000-672.01 | Benjamin F. Davis Trust Interest | $ 5,100 | |
| 712-000-000-672.02 | Historic Car Interest | 70 | |
| 712-000-000-672.03 | Riverwalk Project Expendable Trust Dividend Income | 70 | |
| 712-000-000-672.04 | Beck Trust Interest | 100 | |
| 712-000-000-672.05 | Frances Park Interest | 2,100 | |
| 712-000-000-672.06 | Moores Park Interest | 1,100 | |
| 712-000-000-672.07 | Ranney Park Interest | 700 | |
| 712-000-000-672.08 | Playground Equipment—Interest | 50 | |
| 712-000-000-672.09 | Stroud Trust Interest | 350 | |
| 712-000-000-672.10 | Davis Mansion Trust Interest | 10 | |
| 712-000-000-672.12 | Cooley Estate Interest | 200 | |
| 712-000-000-672.14 | M. Benz Trust Interest | 250 | |
| 712-000-000-672.15 | Riverfront Park Statue Interest | 400 | |
| 712-000-000-672.16 | Parcel C. Trust Interest | 300 | |
| 712-000-000-672.17 | General Motors Trust Interest | 4,250 | |
| 712-000-000-675 | Ranney Park Rent | 4,500 | |
| 712-000-000-675.01 | Parcel C. Trust Rent | 1,450 | |
| | TOTAL | | $ 21,000 |

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# DISTRICT COURT FUND BUDGET (Memo Only)

## For the Fiscal Year Ending June 30, 1982

### ESTIMATED REVENUES

| | |
|---|---|
| Fines & Fees | $ 1,250,400 |
| TOTAL | $ 1,250,400 |

### APPROPRIATIONS

| | | | |
|---|---|---|---|
| 760-136-000-702 | Salaries & Longevity | $ 887,780 | |
| 760-136-000-711 | Sicktime—1980 Carryover Current | 7,500 | |
| 760-136-000-715 | Fringe Benefits | 209,970 | |
| 760-136-000-740 | Operating Supplies | 56,900 | |
| 760-136-000-741 | Miscellaneous & Operating Expenses | 810 | |
| 760-136-000-801 | Professional Services | 45,331 | |
| 760-136-000-807 | Audit | 3,000 | |
| 760-136-000-829 | Witness & Jury Fees | 55,300 | |
| 760-136-000-864 | Conferences & Workshops | 1,278 | |
| 760-136-000-910 | Insurance & Bonds | 950 | |
| 760-136-000-930 | Repair & Maintenance | 3,373 | |
| 760-136-000-977 | Equipment | 6,868 | |
| 760-136-000-980 | Library | 4,000 | |
| | TOTAL—DISTRICT COURT FUND | | $ 1,283,060 |

# WORKERS' DISABILITY COMPENSATION FUND BUDGET

## For the Fiscal Year Ending June 30, 1982

### ESTIMATED REVENUES

| | |
|---|---|
| Compensation Charges to Other Funds | $ 500,000 |
| TOTAL | $ 500,000 |

### APPROPRIATIONS

| | | | |
|---|---|---|---|
| 765-958-000-801 | Professional Services | $ 3,000 | |
| 765-958-000-823 | Medical Services | 160,000 | |
| 765-958-001-823 | Medical Services—Fire | 65,000 | |
| 765-958-002-823 | Medical Services—Police | 60,000 | |
| 765-958-000-864 | Conferences & Workshops | 60 | |
| 765-958-000-910 | Insurance | 85,000 | |
| 765-958-000-918 | Self-Insurer's Fund | 17,000 | |
| 765-958-000-959 | Workers' Compensation Payroll | 270,000 | |
| 765-958-000-963 | Workers' Compensation Claims | 100,000 | |
| | TOTAL—WORKERS' DISABILITY COMPENSATION FUND | | $ 760,060 |

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# CARRY FORWARDS

The following accounts shall have the remaining balance at the year-end of FY 1980-81 carried forward in the same account unless otherwise specified.

## ACCOUNTING

| | |
|---|---|
| 101-201-000-707 | Temporary Help |
| 101-201-000-801 | Professional Services |

## DATA PROCESSING

| | |
|---|---|
| 101-221-000-801 | Professional Services Conversion |

## CENTRAL GARAGE

| | |
|---|---|
| 101-222-211-751 | Gasoline—Police |
| 101-222-212-751 | Gasoline—Fire |
| 101-222-213-751 | Gasoline—Other |

## PUBLIC SERVICE

| | |
|---|---|
| 101-444-602-974 | Contractual Services |
| 101-452-600-974 | Alley Resurfacing |
| 101-452-601-938 | Curb and Gutter Repair |
| 101-452-611-974 | Street Resurfacing |
| 101-452-612-974 | Cold Planing |

## PARKS

| | |
|---|---|
| 101-692-000-956 | Citizen Contribution |
| 101-718-000-799 | Construction—Maximum $5,054 Municipal Park Entrance |

## CITY SUPPORTED ACTIVITIES

| | |
|---|---|
| 101-934-000-969 | Impression 5—<br>To be carried forward into 101-934-095-969 "unprogrammed match" |
| 101-934-060-969 | National Council on Alcoholism—<br>To be carried forward into 101-934-095-969 "unprogrammed match" |
| 101-934-061-969 | Community Mental Health Substance Abuse—<br>To be carried forward into 101-934-095-969 "unprogrammed match" |
| 101-934-064-969 | Cristo-Rey Mental Health—<br>To be carried forward into 101-934-095-969 "unprogrammed match" |
| 101-934-067-969 | Tri-County Aging—Homebound Meals—<br>To be carried forward into 101-934-095-969 "unprogrammed match" |
| 101-934-069-969 | Ingham County Health Clinic—<br>To be carried forward into 101-934-095-969 "unprogrammed match" |
| 101-934-070-969 | Humpty Dumpty Day Care—<br>To be carried forward into 101-934-095-969 "unprogrammed match" |
| 101-934-071-969 | Small Folks Day Care—<br>To be carried forward into 101-934-095-969 "unprogrammed match" |
| 101-934-072-969 | Happy Day Day Care—<br>To be carried forward into 101-934-095-969 "unprogrammed match" |
| 101-934-073-969 | Friendship Day Care—<br>To be carried forward into 101-934-095-969 "unprogrammed match" |
| 101-934-074-969 | Resurrection Day Care—<br>To be carried forward into 101-934-095-969 "unprogrammed match" |
| 101-934-075-969 | Child Abuse and Neglect—<br>To be carried forward into 101-934-095-969 "unprogrammed match" |
| 101-934-076-969 | Y.W.C.A.—<br>To be carried forward into 101-934-095-969 "unprogrammed match" |
| 101-934-077-969 | R.S.V.P.—<br>To be carried forward into 101-934-095-969 "unprogrammed match" |
| 101-934-084-969 | Handicapper Advocacy Alliance—<br>To be carried forward into 101-934-095-969 "unprogrammed match" |
| 101-934-091-969 | New Way In—<br>To be carried forward into 101-934-095-969 "unprogrammed match" |
| 101-934-092-969 | Youth Development Corporation—<br>To be carried forward into 101-934-095-969 "unprogrammed match" |

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| | |
|---|---|
| 101-934-093-969 | Fine Arts Council—<br>To be carried forward into 101-934-095-969 "unprogrammed match" |
| 101-934-094-969 | Housing Assistance Fund—<br>To be carried forward into 101-934-095-969 "unprogrammed match" |
| 101-934-095-969 | Unprogrammed Match—<br>To be carried forward into 101-934-095-969 "unprogrammed match" |
| 101-934-111-969 | Human Resources Matching Funds—<br>To be carried forward into 101-934-095-969 "unprogrammed match" |

## CAPITAL PROJECTS

| | |
|---|---|
| 101-936-000-974 | Alley Resurfacing |
| 101-936-070-974 | Sheffield Park |
| 101-936-073-974 | Northrup Park |
| 101-936-075-976 | Eastside Community Room |
| 101-936-090-974 | Scott Park |
| 101-936-102-974 | Pedestrian Access |
| 101-936-106-974 | Edgewood Blvd. |
| 101-936-110-975 | Exhibition Hall Project Adv. |
| 101-936-111-974 | Jolly-Wexford Pedestrian Overpass |
| 101-936-338-976 | No. 1 Station Floor |
| 101-936-446-974 | Lansing General Hospital Access Study |
| 101-936-536-974 | Gas Tank—Public Service |
| 101-936-720-974 | South Washington Park Road |
| 101-936-941-965 | Grant Match—General City |
| 101-936-721-977 | River Front Park Electric |
| 101-936-729-975 | Demolition Poxson Building |
| 101-936-739-976 | Rehabilitating Dodge Mansion |
| 101-936-761-971 | Bike Path—Pennsylvania R.R. |
| 101-936-761-974 | Red Cedar—Bike Link |
| 101-936-769-973 | Aurelius Road Storm Sewer |
| 101-936-792-938 | Curb and Gutter Repair |
| 101-936-797-973 | Remy Chandler Drain |
| 101-936-798-973 | Bogus Drain Project—$10,000<br>To be carried forward into 101-936-103-973 |
| 101-936-801-971 | Transportation Terminal |
| 101-936-802-971 | Riverfront Salmon Development |
| 101-936-804-971 | Francis Fine Project |
| 101-936-813-971 | Exhibition Hall Project |
| 101-936-108-950 | Circuit Court Facility |
| 101-936-086-969 | Lake Lansing Dredging |
| 101-936-103-973 | County Drain Projects |
| 101-936-104-974 | Aurelius Road Landfill |
| 101-936-617-973 | City Portion—Storm Sewers |

## MISCELLANEOUS

| | |
|---|---|
| 101-941-000-961 | City Emergency |

## ACT 51

| | |
|---|---|
| 202-452-610-974 | Contractual Services—Roto Mill |
| 202-452-611-974 | Resurface Major Streets |
| 202-453-001-974 | East Jolly R.R. Crossing |
| 202-453-002-974 | East Grand River R.R. Crossing |
| 202-453-003-974 | South Hosmer R.R. Crossing |
| 202-453-700-974 | West Main R.R. Crossing |
| 202-453-006-974 | South Washington R.R. Crossing |
| 202-453-704-974 | Edgewood Acquisition B |
| 202-453-706-974 | East Mt. Hope R.R. Crossing |
| 202-453-707-974 | Cavanaugh Road R.R. Crossing |
| 202-453-708-974 | Cedar-Pennsylvania Improvement |
| 202-453-710-974 | Kalamazoo Street R.R. Crossing |
| 202-453-720-974 | West Michigan R.R. Crossing |
| 202-453-763-974 | Kalamazoo Street Structure |
| 202-453-765-974 | Edgewood Blvd. |
| 202-453-768-974 | Olds Avenue R.R. Crossing |
| 202-453-808-974 | St. Joseph R.R. Crossing |
| 202-469-000-938 | Curb and Gutter Repair |
| 202-469-001-938 | Recondition After Curb and Gutter |
| 203-452-610-974 | Contractual Service—Roto Mill |
| 203-452-611-974 | Resurface Local Streets |
| 203-452-617-974 | Local Street Improvement |
| 203-464-616-782 | Recondition After Curb and Gutter |
| 203-469-000-938 | Curb and Gutter Repair |

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## SEWAGE DISPOSAL

| | |
|---|---|
| 590-536-610-974 | City Share—Delhi Sewers |
| 590-536-611-974 | Montgomery Drain |
| 590-536-612-974 | Facilities 201 Plan—Step II |
| 590-536-613-974 | North Grand River Interceptor |

## SERVICE GARAGE

| | |
|---|---|
| 640-970-000-985 | Vehicles and Miscellaneous Equipment |

## FEDERAL REVENUE SHARING

| | |
|---|---|
| 249-936-730-976 | Dodge Mansion |
| 249-936-753-974 | Swimming Pool |

## PARKING SYSTEM

| | |
|---|---|
| 585-536-000-801 | Professional Services |
| 585-536-000-864 | Conferences and Workshops |
| 585-571-451-931.010 | Major Maintenance Ramp No. 1—S. Grand |
| 585-571-452-931.010 | Major Maintenance Ramp No. 2—S. Capitol |
| 585-571-453-931.010 | Major Maintenance Ramp No. 3—N. Grand |
| 595-571-454-931.010 | Mayor Maintenance Ramp No. 4—N. Capitol |

## CIVIC CENTER

| | |
|---|---|
| 593-539-000-930 | Repair and Maintenance—Building and Grounds—Maximum of $4,825 |

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### ORDINANCES

By COUNCILMAN WORTHINGTON—

The Committee reported that it had considered an ordinance providing, that the Code of Ordinances, City of Lansing, Michigan, be amended by amending Chapter 36, Article XIV of the Code by adding a new section to be numbered 36-116 to provide for an amendment to the amended Physical Development Plan for Neighborhood Development Area No. 3 within the City of Lansing for the acquisition of properties at 1535 and 1558 North High Street, and recommended that the ordinance be passed.

Carried.

### ORDINANCE NO. 593

By COUNCILMAN WORTHINGTON—

Resolved by the City Council of the City of Lansing, that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by amending Chapter 36, Article XIV of the Code by adding a new section to be numbered 36-116 to provide for an amendment to the amended Physical Development Plan for Neighborhood Development Area No. 3 within the City of Lansing for the acquisition of properties at 1535 and 1558 North High Street, be placed on order of immediate passage.

By COUNCILMAN WORTHINGTON—

Resolved by the City Council of the City of Lansing, that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan be amended by amending Chapter 36, Article XIV of the Code by adding a new section to be numbered 36-116 to provide for an amendment to the amended Physical Development Plan for Neighborhood Development Area No. 3 within the City of Lansing for the acquisition of properties at 1535 and 1558 North High Street, be now passed.

Adopted by the following vote:

Unanimously.

### ORDINANCE NO. 593

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, PROVIDING THAT CHAPTER 36, ARTICLE XIV OF THE CODE OF ORDINANCES, CITY OF LANSING, MICHIGAN BE AMENDED BY ADDING A NEW SECTION TO BE NUMBERED 36-116 TO PROVIDE FOR AN AMENDMENT TO THE AMENDED PHYSICAL DEVELOPMENT PLAN FOR NEIGHBORHOOD DEVELOPMENT AREA NO. 3 WITHIN THE CITY OF LANSING.

The City of Lansing Ordains:

Section 1. That Chapter 36, Article XIV

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of the City of Lansing, Michigan, be amended by adding a new section to be numbered 36-116 to read as follows:

Sec. 36-116. **Amendment to the Plan Established.**

The Physical Development Plan referred to in Section 36-116 is hereby modified by incorporating the following pursuant to Section 36-121:

The **inclusion** of two structures in the acquisition program under the section "Physical Condition." The structures are located at 1535 North High Street and 1558 North High Street.

The **deletion** of those structures from the Housing Rehabilitation lists and the modification of maps to reflect the changes detailed above.

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance shall take effect thirty (30) days from its passage unless given immediate effect by the City Council.

**REMARKS BY THE MAYOR OR HIS EXECUTIVE ASSISTANT:**

No comment.

**REMARKS BY THE CITY COUNCIL**

By COUNCILMEN LINDEMANN, BLAIR, and WORTHINGTON—

Resolved by the City Council of the City of Lansing:

That the rules of the Council be waived for the purpose of presenting items that are not listed on the agenda.

Carried.

Letter from Stanley M. Jennings in regard to property at 1016 S. Holmes St. that he would like to build on.

Referred to Mayor, Planning Department, Redevelopment Department.

May 18, 1981

To Mayor Gerald W. Graves and
the Residents of Lansing

Dear Mayor Graves and City Residents:

The City Council has reviewed the Mayor's Recommended Budget for Fiscal Year 1981-82 during six weeks of public hearings. As a result, certain minor changes were made as outlined per the attached, but the majority of programs were accepted as recommended.

The General Fund Budget, as amended by the Council, totals $50,454,646. This amount includes Federal Revenue Sharing Funds.

The City Council, by taking action on the budget on the third Monday in May, as required by Charter, anticipates the statewide vote on Proposal "A" on Tuesday, May 19. The budget resolution provides an "either/or" alternative on the City property tax levy, depending on the outcome of the proposal ballot.

If Proposal "A" is adopted by Michigan voters, then the City property tax rate will be 11.92 mills, of which 11.25 is for operating purposes and 0.67 is for debt service. The provisions of Proposal "A" would then provide a 50 percent reduction to homeowners on the operating portion of the millage.

If Proposal "A" is defeated, the City tax rate will be 10.92 mills (10.25 operating and 0.67 debt service). This represents a decrease of 1.15 mills from the 80-81 fiscal year's rate in order to offset increased property assessments. This action follows the Mayor's recommendation, which the Council suggested on February 9, 1981.

Attached to this letter are the budget resolution, a list of policy actions taken by the Council as part of the budget process (including changes to the Mayor's recommendations), and a budget breakdown by department or major activity.

As has been said many times in our hearings, this level of appropriation represents a "continuation" budget, meaning most programs will continue at essentially the same level of service as the current year. The City Council sincerely hopes that Michigan's economy will bounce back soon, and that the FY81-82 City budget will be sufficient to serve the needs of Lansing residents in this difficult period.

Sincerely,

LUCILE E. BELEN,
Council President.

Received and placed on file.

By COUNCILMAN BLAIR—

Resolved by the City Council of the City of Lansing:

Resolved by the City Council of the City of Lansing that the City of Lansing is authorized to negotiate and enter into an agreement to Section 7 of the Memorandum of Understanding pertaining to Capitol Commons dated January 20, 1981, to allow for the early start of construction for both the high-rise and low-rise portions of Phase I of the development, as shown in substantially the form of the language attached hereto.

Adopted by the following vote:

Unanimously.

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## REPORTS OF COMMITTEES

The COMMITTEE ON PHYSICAL DEVELOPMENT, to whom was referred the Ordinance of the City of Lansing providing that Chapter 36, Articles XA, XB, XIV, XIVB of the Code be amended by adding new sections to be numbered Section 36-99.1D, Section 36-99.25.6, Section 36-116.9 and Section 36-139.7.1 to provide for amendments to the amended Physical Development Plans for Neighborhood Development Area No. 1, Neighborhood Development Area No. 2, Neighborhood Development Area No. 3 and for an amendment to the Physical Development Plan for Neighborhood Development Area No. 4 within the City of Lansing, reports as follows:

That said ordinance be passed.

Signed:

SIDNEY P. WORTHINGTON,
LUCILE BELEN,
WILLIAM A. BRENKE,
Committee on Physical Development.

By COUNCILMAN WORTHINGTON—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

The COMMITTEE ON PHYSICAL DEVELOPMENT, to whom was referred the ordinance of the City of Lansing providing that the Code of Ordinances be amended by adding new sections to Chapter 36, Article XB and XIV of the Code to be numbered 36-99.25.7 and 36-116.10 to said Code to provide for amendments to the amended Physical Development Plans for Neighborhood Development Area No. 2 and Neighborhood Development Area No. 3 within the City of Lansing, reports as follows:

That said ordinance be approved.

Signed:

SIDNEY P. WORTHINGTON,
LUCILE BELEN,
WILLIAM A. BRENKE,
Committee on Physical Development.

By COUNCILMAN WORTHINGTON—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

The COMMITTEE ON PHYSICAL DEVELOPMENT, to whom was referred the Ordinance of the City of Lansing providing that Chapter 36, Articles XB, XIV of the Code be amended by adding new sections to be numbered Section 36.99.25.5 and Section 36-116.8 to provide for amendments to the amended Physical Development Plans for Neighborhood Development Area No. 2 and Neighborhood Development Area No. 3 within the City of Lansing, reports as follows:

That said ordinance be passed.

Signed:

SIDNEY P. WORTHINGTON,
LUCILE BELEN,
WILLIAM A. BRENKE,
Committee on Physical Development.

By COUNCILMAN WORTHINGTON—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

By COUNCILMAN BLAIR—

Resolved by the City Council o fthe City of Lansing:

Whereas, Monday, May 25, 1981 is Memorial Day and

Whereas, Rule One of the rules of Lansing City Council provides that regular meetings of the Council are to be held on Monday Evenings now, therefore,

Be It Hereby Resolved, that City Council Rule Number One is hereby suspended for the purpose of providing that the next regular meeting of the Lansing City Council shall be held at 7:00 p.m. on Tuesday, May 26, 1981 in its Chambers on the 10th Floor of City Hall, Lansing, Michigan, and

Be It Further Resolved, that the City Clerk shall post written notice of the meeting as required by law.

Adopted by the following vote:

Unanimously.

By COUNCILMEN LINDEMANN and McKANE—

Resolved by the City Council of the City of Lansing:

Whereas, the City Council desires maximum utilization of the equipment and personnel resources of the Lansing Fire Department so that fire protection services available to all Lansing residents are the finest possible within the means of the City;

Now, Therefore, Be It Resolved the Lansing City Council hereby authorizes and establishes as continuing policy the maintenance of manning levels in the Fire De-

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partment sufficient to operate all first-line equipment at all times.

Lost by the following ovte:

Yeas: Councilmen Adado, Blair, Lindemann, McKane—4.

Nays: Councilmen Belen, Brenke, Gunther, Worthington—4.

By COUNCILMAN BLAIR—

That the resolution be reconsidered.

Lost by the following vote:

Yeas: Councilmen Adado, Blair, Lindemann, McKane—4.

Nays: Councilmen Belen, Brenke, Gunther, Worthington—4.

By COUNCILMAN LINDEMANN—

Resolved by the City Council of the City of Lansing:

Whereas, the Planning Department in corporation with other City Departments is in the process of completing a parking study which will recommend actions to be taken to meet future parking needs in the downtown area, and

Whereas, the Planning Department has requested outside bond counsel regarding options available in the existing parking system revenue bonds pertaining to free parking, refinancing of the current parking revenue bonds an drelated issues, and

Whereas, the Economic Development Corporation of Lansing has agreed to pay for this bond counsel opinion, and

Whereas, the City Attorney has concurred in the request of the Planning Director to seek outside counsel,

Now, Therefore, Be It Resolved that the City Council of Lansing authorizes the firm of Dickensen, Wright, McKean, Cudlip and Moon to provide legal bond counsel regarding options available in the existing parking system revenue bonds pertaining to free parking, refinancing of the current parking revenue bonds and related issues.

Be It Further Resolved, that the City Attorney should review the opinion of outside counsel prior to their release.

Be It Finally Resolved that this approval is given provided the Economic Development Corporation of Lansing will provide the funds necessary to pay for this legal counsel.

Adopted by the following vote:

Yeas: Councilmen Adado, Belen, Brenke, Gunther, Lindemann, McKane, Worthington—7.

Nay: Councilman Blair—1.

By COUNCILMAN LINDEMANN—

Resolved bythe City Council of the City of Lansing:

Whereas, the City of Lansing does own the property known as Grand River Park; and

Whereas, the Charter Township of Lansing has requested a permanent easement for the operation of a watermain through a portion of the park as described below:

A 20 foot wide strip of land crossing Grand River Park, County Tax Identification No. 33-01-19-276-001, the centerline being described as: commencing at a point on the south right of way line of U.S. 27, S59°38′ W. 97.80′ from the Northwest corner of the Roberts Development Corporation property, as described in Liber 1029, Page 959, Ingham County Records, thence S26°50′40″E. 181.99 feet, thence N74°08′50″E. 169.96′, thence N58°46′ 50″E. 247.90 feet, thence N64°10′40″E. 256.15 feet, thence N22°57′25″W. 63.65 feet, thence N61°40′20″E. 225.53 feet, thence N81°01′25″E. 140.66 feet, thence N70°50′38″E. 77.09 feet, thence N03° 25′E. 18 feet more or less to the South right of way line of the Grand Trunk Western Railroad, Grand River Park, Section 19, T4N R2W.

Together with an easement for construction purposes only described as a 10 foot wide strip of land lying immediately adjacent, parallel and on both sides of the above described permanent easement except that land occupied by the Roberts Corporation or the Grand Trunk Western Railroad.

and

Whereas, it is the opinion of the City Attorney's office that an easement is an interest in land and requires the affirmative vote of two thirds of the Lansing City Council per Chapter 4 subsection 8-403.4 of the Lansing City Charter;

Therefore, Be It Resolved that upon approval as to form by the City Attorney, the City Clerk and Mayor are hereby authorized to execute said easement with the Charter Township of Lansing.

Adopted by the following vote:

Unanimously.

By COUNCILMEN ADADO, LINDEMANN, McKANE, and BLAIR—

Resolved by the City Council of the City of Lansing:

That the following transfer be approved:

$15,000.00 from Fire Suppression—Salaries
A/C 101-339-000-702

$15,000.00 to Fire Suppression—
Overtime
A/C 101-339-000-708

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Adopted by the following vote:

Yeas: Councilmen Adado, Belen, Blair, Lindemann, McKane, Worthington—6.

Nays: Councilmen Brenke, Gunther—2.

## ORDINANCES

By COUNCILMAN WORTHINGTON—

The Committee reported that it had considered an ordinance providing, that the Code of Ordinances, City of Lansing, Michigan, be amended by:

Adding new sections to Chapter 36, Articles XB, and XIV of the Code to be numbered 36-99.25.7 and 36-116.10 to said Code to provide for amendments to the amended Physical Development Plans for Neighborhood Development Area No. 2 and Neighborhood Development Area No. 3 within the City of Lansing;

Adding new sections to Chapter 36, Articles XA, XB, XIV, XIVB of the Code to be numbered Section 36-99.1D, Section 36-99.25.6, Section 36-116.9 and Section 36-139.7.1 to provide for amendments to the amended Physical Development Plans for Neighborhood Development Area No. 1, Neighborhood Developmnet Area No. 2, Neighborhood Development Area No. 3 and for an amendment to the Physical Development Plan for Neighborhood Development Area No. 4 within the City of Lansing;

Adding new sections to Chapter 36, Articles XB, XIV of the Code of Ordinances to be numbered Section 36-99.25.5 and Section 36-116.8 to provide for amendments to the amended Physical Development Plans for Neighborhood Development Area No. 2 and Neighborhood Development Area No. 3 within the City of Lansing;

and recommended that the ordinances be passed.

Carried.

## ORDINANCE NO. 594

By COUNCILMAN WORTHINGTON—

Resolved by the City Council of the City of Lansing, that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by adding new sections to Chapter 36, Articles XB, XIV of the Code to be numbered 36-99.25.7 and 36-116.10 to said Code to provide for amendments to the amended Physical Development Plans for Neighborhood Development Area No. 2 and Neighborhood Development Area No. 3 within the City of Lansing be placed on order of immediate passage.

By COUNCILMAN WORTHINGTON—

Resolved by the City Council of the City of Lansing, that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan be amended by adding new sections to Chapter 36, Articles XB, XIV of the Code to be numbered 36-99.25.7 and 36-116.10 to said Code to provide for amendments to the amended Physical Development Plans for Neighborhood Development Area No. 2 and Neighborhood Development Area No. 3 within the City of Lansing be now passed.

Adopted by the following vote:

Unanimously.

## ORDINANCE NO. 594

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, PROVIDING THAT CHAPTER 36, ARTICLES XB, XIV OF THE CODE OF ORDINANCES, CITY OF LANSING, MICHIGAN, BE AMENDED BY ADDING NEW SECTIONS TO BE NUMBERED 36-99.25.7 and 36-116.10 TO SAID CODE TO PROVIDE FOR AMENDMENTS TO THE AMENDED PHYSICAL DEVELOPMENT PLANS FOR NEIGHBORHOOD DEVELOPMENT AREA NO. 2 AND NEIGHBORHOOD DEVELOPMENT AREA NO. 3 WITHIN THE CITY OF LANSING.

The City of Lansing Ordains:

Section 1. That Chapter 36, Articles XB, XIV of the Code of Lansing, Michigan be amended by adding new sections to be numbered 36-99.25.7 and 36-116.10 to read as follows:

Sec. 36-99.25.7 and Sec. 36-116.10 **Amendments to the Plans established.**

The Physical Development Plans referred to in Sec. 36-99.25 and 36-116 are hereby modified by incorporating the following amendment into Exhibit No. 1 of the Appendix of the plans pursuant to Sec. 36-99.30 and Sec. 36-121:

The **revision** of Neighborhood Rehabilitation Standards by changing the title to Neighborhood Improvement Guidelines and by incorporating individual items as listed:

Requirements

In order to be eligible for the Financial Services Program, owners must be prepared to use rebate and deferred loan/grant funds to provide all repairs to meet the Uniform Code and the Rehabilitation Standards. Owners who do not choose to use the Financial Services Program will be required to use their own funds to meet the Uniform Housing Code requirements.

2A. Attic Insulation

2C. Smoke Detectors

(2) Solution. Every dwelling shall be provided with approved detectors, as specified under Section 1210(a) of the Uniform Building Code, 1979 Edition, as adopted by the City of Lansing. One

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free smoke detector shall be provided at no cost to the property owner for each dwelling unit that meets the Code and Rehabilitation Standards.

2F. Site Improvements

(2)(k) If the property owner wishes, then landscape materials shall be provided to enhance the overall appearance of the premises. Cost may not exceed $500.00. All materials must be approved by the Department of Building Safety and Development.

2G. Barrier Free Facilities

(1) Basis. To allow for the access and use of existing structures by handicapped persons as defined by the Rehabilitation Act of 1973, PL 93-112, 29 USCS & 706(6). Appropriate certification or verification required.

(2) Solution. Households in which a handicapped person resides shall qualify for the provisions stated in "3. Optional Repairs and Improvements," items (s) and (t).

2H. Security

(1) Basis. To provide for basic security within housing units.

(2) Solution. If the property owner wishes, then security measures for doors and windows, as recommended by the City of Lansing's Police and/or Fire Departments, shall be provided. Cost may not exceed $100.00 per Structure.

2F(3)(e) Mechanical

(4) Energy saving items of approved types, such as retrofit items, automatic clock day/night thermostats, etc. may be provided.

(5) Mechanical systems that are adequate under the code may be replaced in order to promote every efficiency.

2F(3)(j) Security Locks

Security measures for doors and windows, as recommended by the City of Lansing's Police and/or Fire Departments, may be provided.

2F(3)(j) Security Locks

Smoke detectors may be provided in addition to those required by Section "C. Smoke Detectors" of the Rehabilitation Standards.

2F(3)(r) Federal Housing Administration (FHA) Requirements

Any item not specifically required by City Ordinances, but required by FHA in order to obtain its approval for resale may be provided.

2F(3)(s) Garage Door Openers

For persons 65 years old or older and the handicapped, electrically operated garage door openers may be provided.

2F(3)(t) Barrier Free Facilities

Barrier free facilities may be provided. Any barrier free adjustment would be considered on a case by case basis for approval by the Review Committee within the Community Development process.

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance shall take effect thirty (30) days from its passage unless given immediate effect by the City Council.

## ORDINANCE NO. 595

By COUNCILMAN WORTHINGTON—

Resolved by the City Council of the City of Lansing, that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by adding new sections to Chapter 36, Articles XA, XB, XIV, XIVB of the Code numbered 36-99.1D, 36-99.25.6, 36-116.9 and 36-139.7 to provide for amendments to the amended Physical Development Plans for Neighborhood Development Area No. 1, Neighborhood Development Area No. 2, Neighborhood Development Area No. 3 and for an amendment to the Physical Development Plan for Neighborhood Development Area No. 4 within the City of Lansing be placed on order of immediate passage.

By COUNCILMAN WORTHINGTON—

Resolved by the City Council of the City of Lansing, that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan be amended by adding new sections to Chapter 36, Articles XA, XB, XIV, XIVB of the Code numbered 36-99.1D, 36-99.25.6, 36-116.9 and 36-139.7 to provide for amendments to the amended Physical Development Plans for Neighborhood Development Area No. 1, Neighborhood Development Area No. 2, Neighborhood Development Area No. 3 and for an amendment to the Physical Development Plan for Neighborhood Development Area No. 4 within the City of Lansing be now passed.

Adopted by the following vote:

Unanimously.

## ORDINANCE NO. 595

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, PROVIDING THAT CHAPTER 36, ARTICLES XA, XB, XIV, XIVB OF THE CODE OF ORDINANCES, CITY OF LANSING, MICHIGAN, BE AMENDED BY ADDING NEW SECTIONS TO BE NUMBERED SEC. 36-99.1D, SEC. 36-99.25.6, SEC. 36-116.9 AND SEC. 36-139.7.1 TO PROVIDE FOR AMENDMENTS TO THE AMENDED PHYSICAL DEVELOPMENT PLANS FOR

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NEIGHBORHOOD DEVELOPMENT AREA NO. 1, NEIGHBORHOOD DEVELOPMENT AREA NO. 2, NEIGHBORHOOD DEVELOPMENT AREA NO. 3 AND FOR AN AMENDMENT TO THE PHYSICAL DEVELOPMENT PLAN FOR NEIGHBORHOOD DEVELOPMENT AREA NO. 4 WITHIN THE CITY OF LANSING.

The City of Lansing Ordains:

Section 1. That Chapter 36, Article XA of the Code of the City of Lansing, Michigan, be amended by adding new sections to be numbered Sec. 36-139.1D, Sec. 36-99.25.6, Sec. 36-116.9 and Sec. 36-139.7.1 to read as follows:

Sec. 36-139.1D, Sec. 36-99.25.6, Sec. 36-116.9, Sec. 36-139.7.1. **Amendments to the plans established.**

The Physical Development Plans referred to in Sec. 36-99.1, Sec. 36-99.25, Sec. 36-116 and Sec. 36-139.7 are hereby modified by incorporating the following into the ordinance pursuant to Sec. 36-99.6, Sec. 36-99.30, Sec. 36-121 and Sec. 36-139.12:

The **inclusion** of deferred loans/grants for amounts up to $15,000 be awarded to eligible households in accordance with repayment and mortality clauses in the Physical Development Plans for the NDA's.

Any portion of a deferred loan/grant recipient's award that exceed $15,000 will be recorded as a permanent lien on the property at 0% interest. The lien will be due and payable in full if the owner-occupant vacates, sells, transfers or assigns the subject housing structure within seven (7) years from the execution of the lien. Following this seven-year period, the lien will be due when the property is sold, transferred or assigned to a party not on the City's lien agreement.

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance shall take effect thirty (30) days from its passage unless given immediate effect by the City Council.

**ORDINANCE NO. 596**

By COUNCILMAN WORTHINGTON—

Resolved by the City Council of the City of Lansing, that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by adding new sections to be numbered Section 36-99.25.5 Chapter 36, Articles XB, XIV of the Code and Section 36-116.8 to provide for amendments to the Amended Physical Development Plans for Neighborhood Development Area No. 2 and Neighborhood Development Area No. 3 within the City of Lansing be placed on order of immediate passage.

By COUNCILMAN WORTHINGTON—

Resolved by the City Council of the City of Lansing, that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan be amended by adding new sections to be numbered Section 36-99.25.5 Chapter 36, Articles XB, XIV of the Code and Section 36-116.8 to provide for amendments to the amended Physical Development Plans for Neighborhood Development Area No. 2 and Neighborhood Development Area No. 3 within the City of Lansing of be now passed.

Adopted by the following vote:

Unanimously.

**ORDINANCE NO. 596**

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, PROVIDING THAT CHAPTER 36 ARTICLES XB, XIV OF THE CODE OF ORDINANCES CITY OF LANSING, MICHIGAN, BE AMENDED BY ADDING NEW SECTIONS TO BE NUMBERED SEC. 36-99.25.5 AND SEC. 36-116.8 TO PROVIDE FOR AMENDMENTS TO THE AMENDED PHYSICAL DEVELOPMENT PLANS FOR NEIGHBORHOOD DEVELOPMENT AREA NO. 2 AND NEIGHBORHOOD DEVELOPMENT AREA NO. 3 WITHIN THE CITY OF LANSING.

The City of Lansing ordains:

Section 1. That Chapter 36, Articles XB, XIV of the Code of the City of Lansing, Michigan, be amended by adding new sections to be numbered Sec. 36-99.25.5 and Sec. 36-116.8 to read as follows:

Sec. 36-99.25.5 and Sec. 36-116.8 **Amendments to the plans established.**

The Physical Development Plans referred to in Sec. 36-99.25 and Sec. 36-116 are hereby modified by incorporating the following into the ordinance pursuant to Sec. 36-99.30 and Sec. 36-121.

The **modification** of the Community Development Financial Services to alter the calculation of the adjusted gross income by eliminating the 5% general deduction, the $300.00 deduction per family member, the $300.00 deduction per owner/spouse 65 years and older and the $300.00 deduction per handicapped family member; and superseding with a $600.00 deduction per family member, a $600.00 deduction per owner/spouse 65 and older and a $600.00 deduction per handicapped member.

The **modification** of the Community Development Financial Services to alter the financial incentives as follows:

A. 33.33% rebate

1. All non-occupant owners
2. All owner-occupants with structures of 3 or 4 units
3. Owner-occupant with structures of 1 or 2 units and with an adjusted gross income greater than $15,500.

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B. 40% rebate

Owner-occupants with adjusted gross income between $15,500 and $10,500 for structures with 1 or 2 units.

C. 40% rebate or Deferred Loan/Grant

Owner-occupants with adjusted gross income $10,500 or less for structures with 1 or 2 units.

*Deferred Loans/Grants discharged:

if property maintained up-to-code, and title retained, and residency continued for 7 years or if title-holder or spouse dies.

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance shall take effect thirty (30) days from its passage unless given immediate effect by the City Council.

Chas. Fratcher spoke relative to gate at Mt. Hope Cemetery — persons jogging thru there, bicycles, etc.

By COUNCILMAN BELEN—

That this meeting stand adjourned.

Carried.

Council adjourned at 9:40 P.M.

THEO FULTON,
City Clerk.

Lansing, Michigan

May 18, 1981

F/B

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CITY CLERK'S OFFICE
Room 921, City Hall
Lansing, Michigan 48933

Address Correction Requested

BULK RATE
U. S. POSTAGE
PAID
Permit No. 1461
Lansing, Michigan



# OFFICIAL PROCEEDINGS OF
# THE CITY COUNCIL
## OFFICIAL PROCEEDINGS OF

## Proceedings, May 26, 1981

CITY COUNCIL ROOMS

Lansing, Michigan

May 26, 1981

The City Council of the City of Lansing, Michigan, met in regular session and was called to order by Vice-President Gunther.

Present: Councilmen Adado, Blair, Brenke, Gunther, Lindemann, McKane, Worthington—7.

Absent: Councilman Belen—1.

The Clerk announced that a quorum of the Council was present.

Invocation was given by Councilman McKane.

Pledge of Allegiance was led by Councilman McKane.

May 21, 1981

Miss Theo Fulton
Lansing City Clerk
9th Floor, City Hall
Lansing, Michigan 48933

Dear Miss Fulton:

Attached is my Veto Message dealing with the salary increases provided for the District Judges by City Council in the 1981-82 Fiscal Year Budget, approved on Monday, May 18, 1981, and which will take effect on July 1, 1982.

It is submitted to you in accordance with Section 3-305 of the Lansing City Charter.

Sincerely,

GERALD W. GRAVES,
Mayor.

Referred to Committee of the Whole.

May 21, 1981

Council President Lucile Belen and
Members of the Lansing City Council
10th Floor, City Hall
Lansing, Michigan 48933

Dear Council President and Members:

In my Twelfth Annual Recommended Budget Message for Fiscal Year 1981-82,

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date of March 23, 1981, I cautioned you to avoid the temptation to neglect overall implications and fiscal impacts of decisions on issues reviewed in isolation." You were advised that a spending slow-down was necessary, because projections indicate that **total expenditures** will exceed **total revenues, including cash balance,** in 1983.

In my appearance before the Elected Officers Compensation Commission, date of March 24, 1981, I stated that NO SALARY INCREASES BE GRANTED TO ELECTED OFFICIALS. My Message—in part—was as follows:

"You have before you the task of establishing salary levels within your legally established jurisdiction, same being as follows:

Members of City Council

City Clerk

Mayor

Per the action of the Elected Officers Compensation Commission, date of August 15, 1979, all elected officers, abovementioned, received salary adjustments.

Since that action, the City of Lansing finds itself in a different and less healthy financial position. Please note from the Mayor's Budget Message, date of March 23, which deals with the Recommended Budget for Fiscal Year 1981-82, that the theme is to slow-down the rate of growth of expenditures. I called for a 'tightening of the fiscal belt', not funding 32 positions, a moratorium on filling vacated positions throughout the upcoming fiscal year, and other austerity measures. **In the future, labor negotiations will take place between the City of Lansing and all recognized labor groups—unless salary, wage and fringe benefits are kept to the bare minimum, programs will have to be eliminated and some discharges instituted.** The partial alternative will be a substantial property tax increase. These are difficult times. **In short, the TIME IS NOW for the elected officers of the City to set an example, and hold the line.** I urge you to do this in your recommendations.

Presently, the salary of the Mayor is $41,279 annually, that of the City Clerk is $28,500, while **each** of the 8 Council Members receive $8,275. It is true that there are now 6 department heads whose annual compensation exceeds that of myself (see attached). Conversely, it is true that the Mayor is the Chief Executive Officer of the City and I do work substantially more hours than do department heads. The major difference, however, is that department heads are career employees and deserve to be so treated. However, in this **time of constraint,** I have grave reservations, regarding scheduled salary adjustments due these department heads, this July 1. Same may be as low as two percent.

Presently, the Mayor, City Clerk and Members of Council have the same benefits available as granted to regular employees, i.e., medical insurance, life insurance, dental insurance, retirement, F.I.C.A., etc. (The exceptions are longevity bonus and unemployment.) A breakdown of the costs of available benefits are as follows for Members of City Council.

**Council Salary and Fringe Benefits of March 24, 1981**

| | |
|---|---|
| City Council Salary | $8,275 |
| Health Insurance for full family | $1,554 |
| Dental Insurance | 219 |
| Life Insurance—$20,000 | 102 |
| Retirement—15.9% | 1,257 |
| F.I.C.A.—6.65% | 550 |
| | $3,682* |

*This will vary by Councilman depending on whether they have health insurance through their employer.

The aforementioned have substantially increased in the past one and two year period.

In addition, each Member of City Council receives a $500 annual expense account to use as he, or she, sees fit.

Be advised that the costs to the City of fringes for the Mayor and City Clerk are substantially **more** than that for each Member of City Council.

Further, both the Mayor and City Clerk are provided City vehicles, and with permission to use same not only for business, but, also, for personal use. One vehicle is, also, provided to Members of City Council. Truly, this means transportation is a large fringe benefit, above the actual salary granted to each elected officer.

The City Clerk ha sadvised of her intentions NOT to seek re-election. I oppose the thought that a newlly elected City Clerk should receive a salary higher than the out-going City Clerk. Such a matter could be dealt with in your next session two years hence.

At this moment, I have not made a decision of whether or not I will seek re-election. If I were to seek re-election, I would desire to have any salary adjustment deferred for two years, especially for the aforementioned reasons—if I were not to seek re-election, I certainly would not want a salary adjustment made, for two years, especially when an incoming Mayor will require that amount of time to learn all the complications of law, Federal and State relationships, time schedules, etc. He, or she, should not be rewarded for just winning an election past.

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In summary, I request your cooperation in leaving the salary levels for the Mayor, City Clerk and Members of City Council to remain, and untouched. **The 33% increase in fringe benefits** this present year, alone, is a sufficient adjustment."

The Elected Officers Compensation Commission **accepted my plea** for "no salary increases for elected officials."

In my Budget Recommendations, **I did not provide** for hefty salary incraeses for the elected judges of District Court. However, in your finalizing of the Budget for Fiscal Year 1981-82, you did provide a substantial increase—AN INCREASE WHICH WILL GREATLY HELP THE 6 DISTRICT JUDGES BE AWARDED A TWENTY PERCENT PAY RAISE, WITHIN THE 6 MONTH PERIOD OF JULY 1, 1981, THROUGH JANUARY 1, 1982, **OR A RAISE OF $9,379!!!**

For example, the **current salary** of the 6 District Judges **is $46,689 each,** or a total of $280,134. You are now providing a **salary jump of $5,174 for each of the judges,** bringing the individual salaries up to $51,863. On top of this jump, each of the 6 judges is scheduled to receive **another salary raise of $4,205,** effective January 1, 1982, from the State of Michigan. **The City and State raise of $9,379 will increase the individual judge's salaries from the present $46,689 to $56,068. This is absurd, and I deem it an irresponsible use of taxpayers' dollars.**

Therefore, I place my Veto over that part of the Budget for Fiscal Year 1981-82, as approved by you, and I do so in accordance with Section 3-305 of the Lansing City Charter.

Sincerely,

GERALD W. GRAVES,
Mayor.

## PUBLIC HEARINGS

May 26, 1981, at 7:00 o'clock being the time set as the time for holding a public hearing on the proposed establishment of a Lansing Commercial Redevelopment District CRD-3-81 for property at 1408 and 1414 East Michigan Avenue.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed district they had the privilege of speaking at this time.

Referred to Committee on Economic Development.

May 26, 1981, at 7:00 o'clock being the time set as the time for holding a public hearing on the proposed establishment of a Lansing Commercial Redevelopment District CRD-2-81 for the Logan Center Project.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed project they had the privilege of speaking at this time.

Referred to Committee on Economic Development.

**THE PUBLIC MAY NOW ADDRESS THE CITY COUNCIL ON ANY OF THE FOLLOWING ITEMS LISTED ON THE AGENDA: COMMUNICATIONS AND PETITIONS, COMMITTEE REPORTS, REPORTS OF CITY OFFICERS AND BOARDS AND RESOLUTIONS. YOU MAY SPEAK ONLY FOR 3 MINUTES ON ANY ONE ITEM.**

Richard Lilly, 440 Long Blvd., spoke on letters under Reports of City Officers and Boards No. 6 and No. 7B relative to the Aurelius Road Landfill and made suggestions on how the land could be used.

Lynn Campbell, 6401 Lerner Way, spoke on the Aurelius Road Landfill.

John Osburn, 6101 Marscot St., spoke on traffic condition that exists on Miller Road.

Tim Howie, 1518 Roosevelt St., representing the "ACORN" spoke on letter No. 12.

By COUNCILMAN GUNTHER—

Resolved by the City Council of the City of Lansing:

That the rules of the Council be waived for the purpose of presenting Resolution No. 1.

Carried.

By COUNCILMAN GUNTHER—

Resolved by the City Council of the City of Lansing:

Whereas, Campbell Catering Senior Mens Hockey Team, owned by Mr. Jerry Campbell, has brought a national championship back to Lansing; and

Whereas, for the second time in two years this remarkable team was captured the United States Senior Mens Intermediate Division Championship; and

Whereas, after beating a good Royal Oak team for the State title, Campbell Catering went on to face teams from Alaska, Superior, Wisconsin, New York, and Chicago; and

Whereas, the following men have amply demonstrated their ability to play superlative hockey:

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| | |
|---|---|
| Mark Mazzoleni | Daryl Dipace |
| Nick Dudley | Dennis Olmstead |
| Bud Cammett | Bobby Clarke |
| Dave Wahl | Dan Hoene |
| Dan Olmstead | Dean Miller |
| Jeff Barr | Marty McLaughlin |
| Don Headley | Jeff Addley |
| Tom Campbell | Russ Welch |
| Charlie Phillips | Joe Campbell |
| Tim Campbell | Larry Headley |
| Mark Decenzo | |

Owner: Jerry Campbell

Now, Therefore, Be It Resolved, the City Council of the City of Lansing hereby extends its heartiest congratulations, on behalf of all the citibens of Lansing, to Jerry Campbell and his 21 excellent hockey players for representing Lansing so well and bringing home a second national title.

Adopted by the following vote:

Unanimously.

## COMMUNICATIONS AND PETITIONS

The following applications and bonds have been filed for licenses:

PUBLIC DRIVERS—
Louis Francis Finnis.

RUBBISH HAULER—
Carl D. Challender.

Referred to Committee on General Services.

Summons filed in Circuit Court by Burhan Thabit, Jr. vs. City of Lansing, Ronald Lyon, John Doe, James Doe, Frank Doe and Michael Doe for injuries sustained during arrest.

Referred to Mayor, City Attorney.

Claim filed by Stuart P. Carr, D.D.S, for damage to his automobile due to ticket machine door falling and scratching door at the City Parking Lot at Ottawa and Michigan.

Referred to Mayor, City Attorney.

Letters from the Liquor Control Commission relative:

Notice of public hearing to be held on June 9, 1981, to hear complaints and receiving views of the public.

Submitting request of Fox Hills Enterprises, Inc., for transfer of ownership of 1980 Class "C" licensed business at 600 Frandor Ave. from Lloyd H. Kempf, Interim trustee for American Way Food Service Corp. (Vee Gee's).

Referred to Mayor, Committee on General Services.

Requests filed for special 24-hour liquor permits for:

ALSAC—June 26, 27, 28, 1981, at the National Guard Armory.

Referred to Mayor, Committee on General Services.

NAACP and AIW—Local No. 182—May 29, 30, 1981—Riverfront Park.

By COUNCILMAN ADADO—

That the request for the special 24-hour liquor permit be approved and the permit be obtained from the Michigan Liquor Control Commission.

Carried.

Petition filed from residents of Orchard Glen Ave. in regard to drainage problem that exists.

Referred to Mayor.

Letter from Mr. and Mrs. Karl Benjamin requesting that the extending of a sanitary sewer to include Irene Street.

Referred to Mayor.

Letter from Arthur L. Irish in regard to the Irish Gardens Plat.

Referred to Mayor, Planning Board.

North Lansing Community Association submits a revision to May 8, 1981, letter in regard to Fun Fest.

Received and placed on file.

Letter from Charles A. and Art C. Baryames in regard to proposed bus depot.

Referred to Mayor.

Letter from the State of Michigan, Department of Transportation sent to the Director of Public Service in regard to turnback of M-143 (Michigan Avenue).

Referred to Mayor.

Letter from Neil J. Gaudard of 1034 Raider St. in regard to abandoned homes in area.

Referred to Mayor.

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Charter Township of Delta submits resolution passed in regard to the Pow-Wow that is to be held May 29, 30, 31, 1981.

Referred to Mayor, Parks Department.

Department of Natural Resources, State of Michigan submits:

Copy of letter sent to Wolverine Development Corp. in regard to flood plain request.

Flood Plain permit for James and Forrest Reutter and Floyd and Linda Conklin.

Received and placed on file.

Consumers Power Co. submits report in regard to increase of gas prices.

Received and placed on file.

Industrial Pre-Treatment Program submits master plan for preparation and submittal guidance in regard to pretreatment program.

Referred to Mayor.

City of Kalamazoo, Michigan, submits copy of resolution adopted by the Kalamazoo City Commission relative objecting to the possible curtailment of Amtrak Service thru Kalamazoo.

Referred to Mayor, Committee of the Whole.

Michigan Municipal League submits notice of a liability pool to provide for various insurance coverages.

Referred to Mayor, Committee of the Whole.

## MAYOR'S EXECUTIVE ASSISTANT COMMENTS ON ANY ITEM ON THE AGENDA

No comment.

## REPORTS OF COMMITTEES

The COMMITTEE ON GENERAL SERVICES approves the following applications and bonds for licenses:

PUBLIC DRIVERS—
Louis Francis Finnis.

RUBBISH HAULER—
Carl D. Challender.

Signed:

WILLIAM A. BRENKE,
TERRY J. McKANE,
Committee on General Services.

By COUNCILMAN BRENKE—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

The COMMITTEE ON PUBLIC PROPERTIES AND SAFETY, to whom was referred the request for prohibition of parking on the east side of North High Street, reports as follows:

The request is denied. The major cause of parking problems which instigated the neighborhood's request was an auto repair shop that has since been relocated. The denial concurs with the recommendation of the Traffic Board.

Signed:

PAT LINDEMANN,
SIDNEY P. WORTHINGTON,
JAMES D. BLAIR,
Committee on Public Properties and Safety.

By COUNCILMAN LINDEMANN—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

The COMMITTEE ON PUBLIC PROPERTIES AND SAFETY, to whom was referred the request by CDC No. 4 for left turn phasing at the intersections of South Cedar Street and Mt. Hope Avenue, reports as follows:

The request is denied. Changing signal timing at this intersection would have an adverse impact on Cedar Street traffic flow. The denial concurs with recommendations from the Michigan Department of Transportation, the Lansing Transportation Division Staff, and the Traffic Board.

Signed:

PAT LINDEMANN,
SIDNEY P. WORTHINGTON,
JAMES D. BLAIR,
Committee on Public Properties and Safety.

By COUNCILMAN LINDEMANN—

That the report of the Committee be adopted.

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Adopted by the following vote:

Yeas: Councilmen Adado, Blair, Gunther, Lindemann, Worthington—5.

Nays: Councilmen Brenke, McKane—2.

The COMMITTEE ON PUBLIC PROPERTIES AND SAFETY, to whom was referred the request from Oldsmobile for "No Left Turn" from northbound Logan Street to Olds Avenue between 2 p.m. and 4 p.m., reports as follows:

The request is denied. Pedestrian safety during shift change is the issue here, but the Transportation Division Staff reports that prohibiting this turn would only move the problem from Olds to William Street. This denial concurs with the recommendation of the Traffic Board.

Signed:

PAT LINDEMANN,
SIDNEY P. WORTHINGTON,
JAMES D. BLAIR,
Committee on Public
Properties and Safety.

By COUNCILMAN LINDEMANN—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

## REPORTS OF CITY OFFICERS AND BOARDS

May 22, 1981

President Lucile Belen and Members
of the Lansing City Council

Re: Claim of Mary Lau for $130.00

Dear President Belen and
Councilmembers:

During the early morning hours of August 8, 1980, members of the Lansing Police Department responded to a shooting incident in the 3100 block of North Turner, in which multiple rifle shots were fired, resulting in personal injury and damage to property. Claimant was not involved in the incident, but was contacted on two separate occasions during the early morning hours of August 8th, 1980, in reference to a bullet which became lodged in the corner of her house at 2901 North Turner as a result of that shooting incident. The Lansing Police requested permission to remove a corner post and two pieces of siding from this claimant's home as evidence. After being assured by a member of the Lansing Police Department that she would be reimbursed by the City of Lansing for the removed portions of her house, Mrs. Lau, who speaks broken English at best, gave the Lansing Police permission to remove the corner post and two pieces of siding as evidence. The amount of this claim represents the replacement cost for those items.

Municipalities are immune from tort liability where the governmental agency is engaged in the exercise or discharge of a governmental function. MCLA 691.1407; MSA 3.996 (107). Generally, the operations of a police department would be accorded the benefit of governmental immunity. However, in the instant case, it is probable that the reimbursement assurances given this claimant by a member of the Lansing Police Department effectively removed this case from the aforementioned statute. It is well settled in Michigan that a municipality may be subject to the doctrine of estoppel in certain situations. 4 McQuillan, Municipal Corporation (3d ed) ¶12.175A, p. 15. One such situation is when a party acts to induce another to believe that certain facts exist and the other party rightfully relies and acts on such a belief to his detriment. **Parker v Township of West Bloomfield** 60 Mich App 574; 232 NW and 673, (1975).

Based on the facts presented with this case, it is the opinion of this; office that this claim falls within the purview of the Parker case. It is therefore the recommendation of this office that this claim be allowed.

Respectfully submitted,

STEPHEN R. SAWYER,
City Attorney.

By COUNCILMAN ADADO—

That we concur in the recommendation of the City Attorney and the City Clerk be and she is hereby directed to draw a warrant on the City Treasurer in the amount of $130.00 payable to Mary Lau.

Carried.

May 21, 1981

President Lucile Belen and Members
of the Lansing City Council

Re: Claim of Melvin Hawk in the
Amount of $42.00

Dear President Belen and
Councilmembers:

The claimant requests reimbursement for the cost of a jacket destroyed as a result of battery acid spillage, which occured while this claimant was employed by the City of Lansing. Mr. Hawk, an employee of the Traffic and Parking Division of the Public Service Department, was working with batteries that operate traffic counters when a quantity of battery acid spilled on his jacket.

Court decisions clearly indicate that a city lacks the authority to pay gratuities to its employees. See **Cain v City of Flint,** 342 Mich 74 (1955). However, the courts

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have held that a municipality may reimburse its employees for expenses incurred in fulfilling their bona fide duties as public employees, although a municipality is not legally obligated to do so. See **Ware** v **Battle Creek,** 201 Mich 468 (1918); **Horton** v **Kalamazoo,** 81 Mich App 78 (1978).

Based on the facts presented, there does not appear to be any negligence or legal responsibility on behalf of the City for this loss. While the claimant incurred the loss while performing his duties as an employee of the City of Lansing, it should not be unexpected that employees acting in this claimant's function might damage or destroy clothing apparel by mistakenly spilling acid.

Even though the City is empowered to compensate this claimant for his clothing loss, it is clear from the aforementioned authorities that the City has no legal obligation to do so when the damage results from the act of the claimant. Therefore, from a strictly legal perspective, it is the recommendation of this office that this claim be denied.

Respectfully submitted,

STEPHEN R. SAWYER,
City Attorney.

By COUNCILMAN ADADO—

That we concur in the recommendation of the City Attorney and said claim be denied.

Carried.

May 21, 1981

President Lucile Belen and Members of the Lansing City Council

Re: Claim of Janice B. Lahr in the Amount of $11.00

Dear President Belen and Councilmembers:

This claimant requests reimbursement in the amount of $11.00 for two trash cans which were destroyed, along with the rest of their trash by a City garbage truck crew on January 9, 1981. The claimant indicates that both trash cans were in excellent condition, and were observed being thrown onto the packer by a City crew.

The Public Service Department indicates that the employee allegedly involved in the destruction of the two trash cans at issue has since been terminated, and they have no way of proving or disproving the destruction of the two trash cans. The Public Service Department concedes that this terminated employee may have experienced poor judgment in disposing of the trash can.

It appears from the foregoing that a City employee may have been negligent on the date in question. The defense of governmental immunity is not available to the City of Lansing since it was engaged in a service which was not 'sui generius," governmental, or of the essence of governing, since the private sector also provides trash services.

Based on the foregoing, it is the recommendation of this office that this claim, in the amount of $11.00, be allowed.

Respectfully submitted,

STEPHEN R. SAWYER,
City Attorney.

By COUNCILMAN ADADO—

That we concur in the recommendation of the City Attorney and the City Clerk be and she is hereby directed to draw a warrant on the City Treasurer in the amount of $11.00, payable to Janice B. Lahr.

Carried.

May 21, 1981

President Lucile Belen and Members of City Council

Re:: Claim of Bethany Carpenter in the amount of $116.42

Dear President Belen and Members of Council:

The claimant, while traveling northbound on South Washington Avenue in the vicinity of I-96, on February 16, 1981 at 7:00 p.m., struck a series of chuckholes incurring damage in the amount of $116.42.

The Public Service Department informs this office that the first notification they received on the date in question in reference to chuckholes on South Washington Avenue in the vicinity of I-96 and Edgewood was a call from the Police Department at 7:10 p.m. A crew was dispatched and a barricade was placed with appropriate lights due to the wet weather conditions, with repairs made the following morning.

MCLA 691.1403 and MSA 3.996 (103) provides in part:

"No governmental agency is liable for injuries or damages caused by defective highways unless the governmental agency knew, or in the exercise of reasonable diligence should have known, of the existence of the defect and had areasonable time to repair the defect before the injury took place."

Based on the foregoing statutory provisions and the facts presented by this claim, it is apparent that the City of Lansing had no notice of any defect existing at the above stated location prior to the time and date the alleged incident occurred. Therefore, it is the recommendation of this office that this claim be denied on the basis of governmental immunity.

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Respectfully submitted,

STEPHEN R. SAWYER,
City Attorney.

By COUNCILMAN ADADO—

That we concur in the recommendation of the City Attorney and said claim be denied.

Adopted by the following vote:

Yeas: Councilmen Adado, Brenke, Gunther, Lindemann, McKane, Worthington—6.

Nays: Councilman Blair—1.

May 21, 1981

President Lucile Belen and Members
of the Lansing City Council

Re: Claim of Jesse M. Foreman

Dear President Belen and
Councilmembers:

This claimant incurred damage in an unspecified amount to his vehicle when he struck a hole in the intersection of Kalamazoo and Butler Streets at 6:45 p.m. on January 26, 1981.

Information provided by the Public Service Department indicates that the condition of Kalamazoo and Butler Streets on this date and location was the responsibility of the Michael Murphy Construction Company, who were contractors working in the Capitol Commons area. This claimant has been so advised by this office verbally, and indicates he will seek reimbursement for his damages from the Michael Murphy Construction Company.

Based on the foregoing, it is the opinion of this office that the City of Lansing was not responsible for the condition of the roadway at this location on the date in question, and that this claim should be denied.

Respectfully submitted,

STEPHEN R. SAWYER,
City Attorney.

By COUNCILMAN ADADO—

That we concur in the recommendation of the City Attorney and said claim be denied.

Carried.

May 21, 1981

President Lucile Belen and Members
of the Lansing City Council

Re: Claim of Susan Patterson

Dear President Belen and
Councilmembers:

The claimant incurred damage to her automobile on November 7, 1980, at 7:35 a.m., when she srtuck a chuckhole while traveling eastbound on Cavanaugh Road in the vicinity of Dunckel Road. This claimant does not specify any amount of damages claimed, and has failed to respond to requests from this office for estimates, repair bills, etc.

Pursuant to MCLA 691.1403 and SA 3.996 (103), a municipality is immune from liability for damages caused by defective highways unless the municipality knew, or, in the exercise of reasonable diligence, should have known, of the existence of the defect and had a reasonable time to repair that defect.

This office is informed by the Public Service Department that the first notification they received of the existence of the chuckhole on Cavanaugh Road near Dunckel was at 8:20 a.m. on November 7, 1980. A crew was dispatched and the repairs were completed by 8:40 a.m. that same date.

Based on the foregoing statutory provision, and the facts presented by this claim, it is apparent that the City of Lansing had no prior notice of any defect existing at the above location on the date in question. Therefore, it is the recommendation of this office that the claim be denied on the basis of governmental immunity.

Respectfully submitted,

STEPHEN R. SAWYER,
City Attorney.

By COUNCILMAN ADADO—

That we concbur in the recommendation of the City Attorney and said claim be denied.

Adopted by the following vote:

Yeas: Councilmen Adado, Brenke, Gunther, Lindemann, McKane, Worthington—6.

Nays: Councilman Blair—1.

May 21, 1981

President Lucile Belen and Members
of the Lansing City Council

Re: Claim of William Curtis

Dear President Belen and
Councilmembers:

On February 11, 1981, an undercover officer of the Lansing Police Department entered a residence located at 339 E. St. Joseph Street in the process of making an arrest. In so doing the front door was damaged, although the cost of repair was not reported by Mr. Curtis.

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Municipalities are immune from tort liability in all cases when exercising a governmental function. MCLA 691.1407; MSA 3.996 (107). Providing police protection is a governmental function.

Here the officer involved was clearly engaged in activity consistent with the responsibilities and duties of the Lansing Police Department.

Therefore, it is the recommendation of this office that Mr. Curtis' claim be denied.

Respectfully submitted,

STEPHEN R. SAWYER,
City Attorney.

By COUNCILMAN ADADO—

That this be referred to the City Attorney along with the information that Councilman McKane spoke about.

Carried.

May 21, 1981

President Lucile Belen and Members of the Lansing City Council

Re: Claim of Deborah A. Parker

Dear President Belen and Councilmembers:

This claimant originally filed a claim against the City for unspecified damages on February 12, 1981, as a result of damage caused her vehicle by Shroyer's Towing on February 11, 1981. Subsequent to the filing of this claim, the claimant contacted Shroyer's Towing Service who have reported the accident to their insurance company for eventual reimbursement to this claimant. As a result of Shroyer's cooperation and insurance coverage, this claimant no longer wishes to pursue her claim against the City of Lansing.

Respectfully submitted,

STEPHEN R. SAWYER,

Received and placed on file.

Lansing Police Department submits the annual report for 1980.

Received and placed on file.

DATE: 5/19/81

TO: Council President Belen and Members

FROM: Police Chief Richard A. Gleason

SUBJECT: Parade Applications

Attached are two applications for parade permits from the Lansing Parks and Recreation Department, both scheduled for July 4, 1981, which have been approved by all the necessary departments.

The first application is for a 5,000 and 10,000 meter run to begin at 8:15 A.M. We estimate this will cost the City a total of $661.25, which represents two sergeants, 12 police officers and 14 vehicles for 2.5 hours.

The second application is for a 4th of July parade to begin at 10:30 A.M. This will cost the City $396.75 which represents two sergeants, 12 police officers and 14 vehicles for 1.5 hours.

These are being forwarded to you for final disposition.

By COUNCILMAN ADADO—

That we concur in the recommendation of the Chief of Police and said parade application be approved, having received the required signatures of all departments involved.

Carried.

DATE: May 20, 1981

TO: Council President Lucile Belen, Mayor Gerald Graves and City Clerk Theo Fulton

FROM: Edward J. Piloske, Principal Internal Auditor

SUBJECT: Interim Monitoring Audit of Tenants Resource Center FY 1980-81 CETA Title II Contract

In accordance with Section 3-402.3 of the City Charter, the Office of Internal Audit submits the following interim monitoring audit report of Tenants Resource Center, FY 1980-81, CETA Title II contract subgranted by the City of Lansing.

Most of the recommendations for improvement are routine and a response from the administration concerning them is optional. However, we do request a response on Recommendation A, page 7 as a potential disallowed cost may be involved.

Received and placed on file.

BOARD OF WATER & LIGHT
MEMO

DATE: May 21, 1981

TO: Theo Fulton, City Clerk

FROM: Dorothy LeVan, Secretary

SUBJECT: Ordinance

Please place the revised ordinance to change Signatories at the Bank on the City Council Agenda.

Attachment

Referred to Committee of the Whole.

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May 22, 1981

President Belen and Members
of the Lansing City Council

Dear President Belen and Fellow
Councilmembers:

I am concerned about the relative speed with which the Aurelius Road Sports Complex issue is proceeding. I am told the lease agreement between the City and the developer has been prepared and approved by the Administration, lacking only Council approval for the project to begin. As one Councilman, I intend to make sure that the following questions raised by myself, the Michigan D.N.R., the County Health Department, and the residents of the immediate neighborhood have been answered to our satisfaction.

1) I have not yet received a written response to my request for a survey of similar facilities around the country.

2) Up through Friday, May 22, the Committee on Public Properties and Safety has not reviewed the letters of concern about noise and traffic sent by two citizen committees working on the Master Plan revision for the southeast area, in which this property sits.

3) The City Council has received no information on how this sports complex will affect traffic in the immediate area, especially Aurelius Road, Jolly Road, and Miller Road. Updated traffic surveys are needed to determine the extent to which Aurelius Road must be improved south of Jolly, then funds must be appropriated and the work completed by the time the eight ballfields are ready for use in May 1982. I suggest these questions be answered by the Administration before we act on the lease.

4) No guarantee has been made to absolve the City of any liability if this project affects the clay cap on the landfill or in some way or results in contamination of ground water under the landfill.

5) Why is the City's consideration for long-term lease of this property only $1.00 per year? Other private firms that operate recreational concessions on City property pay a percentage of their gross income to the City. Why should this developer be allowed a long-term lease for the land, receive the assistance of Economic Development Corporation bonding and a tax abatement for working capital and obtain a liquor license for his ballfields when this City Council has voted against liquor and beer in City ballparks, all in exchange for the City's revenue of $1.00 per year?

Until these questions are answered, and until it can be proven that this project is in the long-term best interest of the City, I will be voting against approval of the lease and I will try to persuade each of you to join me.

Sincerely yours,

JAMES D. BLAIR.

Referred to Committee on Public Property and Safety and Committee on Physical Development.

DATE: 5/18/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Submission of attached correspondence from the Administrative Services Director Re: Custodial Service

The attached correspondence is submitted for your information.

GERALD W. GRAVES,
Mayor.

Received and placed on file.

DATE: 5/15/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Public Service Director Re: Recreational Facilities—Aurelius Road Landfill Site

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Public Property and Safety and Committee on Physical Development.

DATE: 5/15/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Submission of attached correspondence from the Public Service Director Re: Relocation of Refuse Division

The attached correspondence is submitted for your information.

GERALD W. GRAVES,
Mayor.

Received and placed on file.

DATE: 5/20/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

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SUBJECT: Submission of attached correspondence from the Fire Department Re: Eastside Pumping Engine Protection

The attached correspondence is submitted for your information.

GERALD W. GRAVES,
Mayor.

Received and placed on file.

May 20, 1981

Council President Lucile Belen and
Members of the Lansing City Council

10th Floor, City Hall

Lansing, Michigan 48933

Dear Council President and Members:

This office has been recenly advised by Keith Miller that he no longer resides in the City of Lansing and, therefore, is not eligible to serve as a member of the Board of Electrical Examiners. I am submitting to you, for your consideration and confirmation, the name of Patrick J. Shurtliff to fill the vacancy, which term expires in June of 1983.

Mr. Shurtliff resides in the City of Lansing at 3800 Coachlight Commons and is employed at Oldsmobile-GMC, as an Associate Plant Engineer.

Trusting this recommendation meets with your approval, I remain

Sincerely,

GERALD W. GRAVES,
Mayor.

Referred to Committee on Physical Development.

May 21, 1981

Council President Lucile Belen and
Members of the Lansing City Council

10th Floor, City Hall

Lansing, Michigan 48933

Dear Council President and Members:

Attached please find a copy of a letter from Lucille I. Amon which is self-explanatory as to her reasons for resigning as a member of the Board of Zoning Appeals. Therefore, I am submitting to you, for your consideration and confirmation, the name of June Manning Thomas, to fill the vacancy, which term expires in June of 1982. Ms. Thomas is currently a member of the Waterfront Development Board and will simply transfer to the Board of Zoning Appeals.

Ms. Thomas resides in the City of Lansing at 416 Everett Drive and is employed as a teacher at Michigan State University in the departments of Urban and Metropolitan Studies and Urban Planning.

Trusting this recommendation meets with your approval, I remain

Sincerely,

GERALD W. GRAVES,
Mayor.

Referred to Committee on Physical Development.

May 21, 1981

Council President Lucile Belen and
Members of the Lansing City Council

10th Floor, City Hall

Lansing, Michigan 48933

Dear Council President and Members:

To fill the vacancy on the Waterfront Development Board created by the transfer of June Manning Thomas to the Board of Zoning Appeals, I am submitting the name of James L. Winckler, for your ocnsideration and confirmation, the term expiring in June of 1983.

Mr. Winckler resides at 741 Sadie Court in the City of Lansing and is in the private practice of law.

Trusting this recommendation meets with your approval, I remain

Sincerely,

GERALD W. GRAVES ,
Mayor.

Referred to Committee on Physical Development.

DATE: 5/21/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Director, Building Safety and Development Re: Trash Removal Assessment

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

By COUNCILMAN LINDEMANN—

That we concur in the recommendation

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of the Mayor and said assessments be placed on the assessment rolls.

Carried.

DATE: 5/21/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Planning Director Re: 285 Review—Vacation of Walker Street

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Physical Development.

DATE: 5/21/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attacher correspondence from the Planning Director Re: 1404 W. Kalamazoo Street

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Physical Development.

DATE: 5/21/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Planning Department

| | | |
|---|---|---|
| Re: | ACT-14-81 | Olds Avenue Alley R.O.W. |
| | ACT-20-81 | 5715 Ellendale |
| | ACT- 7-81 | R.O.W. Vacation Olds/ Clare |

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Physical Development.

DATE: 5/21/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Planning Director Re: EDC-22-80—Capitol Park Restaurant

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Economic Development.

DATE: 5/21/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Planning Director

| | | |
|---|---|---|
| Re: | Z-5-81 | 228 W. Hodge |
| | Z-9-81 | 806 W. Saginaw |
| | Z-12-81 | 736 Center Street |
| | Z-15-81 | 2605 E. Cavanaugh Rd. |

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Physical Development.

DATE: 5/22/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Planning Director Re: ACT-25-81 West Michigan Avenue

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

By COUNCILMAN WORTHINGTON—

That we concur in the recommendation of the Mayor and the request from the Fisher Body Division of General Motors for encroachment in the right-of-way for the construction of a platform and stairwell be approved.

Carried.

## RESOLUTIONS

By PHYSICAL DEVELOPMENT COMMITTEE—

Resolved by the City Council of the City of Lansing:

Whereas, the Southwest Area Planning

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Committee and three planning district level Citizens' Committees have prepared a plan for the future development of the community bounded on the north and west by the Grand River, on the south by the Lansing city limits, and on the east by South Washington Avenue, and

Whereas, the Planning Board and the Planning Department have worked concurrently with the Citizens' groups in developing this Plan; and

Whereas, the Planning Board held two public hearings at the Council Chambers, Lansing City Hall on June 17, 1980 and July 15, 1980, at which time the utilities and citizens were notified by mail and local newspaper, and

Whereas, citizens attending this meeting expressed their endorsement of the Plan; and

Whereas, the Planning Board at their meeting of July 15, 1980, took under advisement all testimony and evidence and recommended approval of the Development Plan, as a Master Plan amendment and further recommended that the Development Plan be transmitted to City Council for their concurrence and implementation; and

Whereas, the Physical Development Committee of City Council, to whom was referred the report of the Planning Board, concurred therewith.

Now, Therefore, Be It Resolved that the Council of the City of Lansing adopts the Southwest Area Comprehensive Development Plan as a Master Plan Amendment with the reservation to review each element of the plan prior to implementation.

Adopted by the following vote:

Unanimously.

By COUNSILMAN WORTHINGTON—

Resolved by the City Council of the City of Lansing:

P-9-79

Keep Meadows Subdivision No. 2
Final Plat

Whereas, the final plat of Keep Meadows Subdivision No. 2 has been submitted for approval; and

Whereas, the Planning Board has reviewed the final plat of Keep Meadows No. 2 Subdivision and found it to be in substantial conformance with the preliminary plat and recommends that approval be granted to allow for the development of thirteen (13) single family homes, subject to conditions; and

Whereas, the Physical Development Committee of City Council has reviewed the report of the Planning Board and concurs therewith;

Now, Therefore, Be It Resolved that the Council of the City of Lansing ordains that the final plat of Keep Meadows Subdivision No. 2 be approved subject to the following conditions:

1) That a Deed or Abstract of Title, accompanied by an attorney's opinion as to marketability of the land, or a Certificate of Title Insurance be submitted to the City Clerk prior to the filing of the plat and the affixing of the Municipal Seal.

2) That final security be posted in the amount specified by the Public Service Department and the Department of Parks and Recreation.

3) That final clerance be given by the Public Service Department.

4) That all conditions of the preliminary plat approval be adhered to.

5) That all conditions of approval by the different departments at the time of review and approval of the preliminary plat be adhered to; and

Be It Further Resolved that the City Clerk be, and she is hereby, directed to notify the proprietor(s) of the plat and the surveyor(s) of the land of this approval.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PUBLIC PROPERTIES AND SAFETY—

Resolved by the City Council of the City of Lansing:

Whereas, on February 25, 1980, the City Council approved a special passenger loading zone at 220 Allen Street at the request of a family with handicapped children; and

Whereas, the family has since moved and the parking zone is no longer necessary;

Now, Therefore, Be It Resolved, the Lansing City Council hereby authorizes the removal of the "No Parking—Passenger Loading Zone" at 220 Allen Street, as recommended by the Traffic Board.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PUBLIC PROPERTIES AND SAFETY—

Resolved by the City Council of the City of Lansing:

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Whereas, the City has received a request to provide parking spaces for motorcycles in the South Capitol Ramp; and

Whereas, the Transportation Division has proposed such spaces adjacent to the ramp rather than inside it;

Now, Therefore, Be It Resolved, the Lansing City Council hereby approves the development by the Parking System of 13 motorcycle parking spaces on the surface lot west of the South Capitol Ramp, for permit parking at a rate of $10.00 per months, all of which follows the recommendation of the Traffic Board.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PUBLIC PROPERTIES AND SAFETY—

Resolved by the City Council of the City of Lansing:

Whereas, the City of Lansing desires to encourage and support shopping and commercial activity in the downtown business area by improving and maintaining the Washington Mall area by providing landscaping, street furniture care, sidewalk and environs, sweeping, snow removal and contract employees to provide for specialized clean up of the mall areas; and

Whereas, the City of Lansing has determined that the costs of providing such services should be recovered by a special assessment of them against properties benefitted; and

Whereas, the City of Lansing has determined that a special assessment district should be established for said special assessment; and

Whereas, the City of Lansing has taken bids for the proposed maintenance of the Washington Mall area and environs including landscaping, street furniture care, sidewalk sweeping, snow removal and contract employees to provide for specialized clean up of the mall and surrounding areas; Now, therefore

Be It Resolved that the City Council of the City of Lansing proposes to establish the following special assessment district for the maintenance of the Washington Mall area and environs:

Beginning at the southeast corner of Shiawassee Avenue and Capitol Avenue, thence easterly along the south line of Shiawassee Avenue to the southeast corner of Shiawassee Avenue and Grand Avenue, thence southerly along the east line of Grand Avenue to the south lot line of the City park property, thence easterly long the south line of the City park to the west edge of the Grand River, thence southerly along the west edge of the Grand River to the center line of Washtenaw Street extended, thence west along the center line of Washtenaw Street to its intersection with the center line of River Street, thence south on the center line of River Street to the center line of Lenawee Street, thence west on the center line of Lenawee Street to the center line of Capitol Avenue, thence north along the center line of Capitol Avenue to the north line of Kalamazoo Street, thence west along the north line of Kalamazoo Street to the southwest corner of Lot 6, Block 127 of the Original Plat of the City of Lansing, thence north to the south line of Allegan Street, thence east to the east line of Capitol Avenue, thence north along the east line of Capitol Avenue to the point of beginning, including all properties therein and which are included in the Original Plat of the City of Lansing, Ingham County, Michigan; and

Be It Further Resolved that all properties within the above proposed special assessment district will be assessed for the cost of such maintenance services on the basis of each property's total front footage on the Washington Mall for services provided on the Washington Mall and for each property's total front footage on streets or sidewalks within the remainder of the special assessment district for those services provided to the remainder of the special assessment district; and

Be It Further Resolved that a public hearing will be held on the above proposed special assessment district and plan at 7:00 p.m., Monday, June 15, 1981, in the City Council Chambers, 10th Floor, City Hall, City of Lansing, Michigan.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON WAYS AND MEANS—

Resolved by the City Council of the City of Lansing:

That the City Council's policy on auditable objectives and scopes of service for City Supported Activity Contracts, adopted May 7, 1979, as amended May 14, 1979, be further amended as follows:

Delete Policy No. 10 in its entirety and insert the following:

10. Each proposed City Supported Activity contract shall be reviewed by the office of Internal Audit prior to signature on behalf of the City. The Internal Auditor shall comment on contract language for the objectives and scope of services provisions to assure adherence to the above policies, and work with the office of the Mayor to resolve any issues that may arise. Contract implementation may be delayed when, in the opinion of the Internal Auditor, unresolved conflicts should be reviewed by the City Council Committee on Ways and Means.

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By COUNCILMAN McKANE—

That the resolution be amended as follows:

That in the last line of Policy No. 10 after the words "Committee on Ways and Means" the following be added: "with recommendation to be given to the Council Committee of the Whole for its action."

Carried.

The resolution as amended was adopted by the following vote:

Unanimously.

By COMMITTEE OF THE WHOLE—

Resolved by the City Council of the City of Lansing:

Whereas, the City Council of the City of Lansing has on numerous occasions by resolution affirmed its support for development of the "100 Block" of downtown Lansing; and

Whereas, by resolution dated June 4, 1979, this Council did state its intent to transfer ownership of the land, described as Block 100, Original Plat, City of Lansing, to the Economic Development Corporation of the City of Lansing, to be incorporated into the development plans for the "100 Block." Such plans shall include a payback mechanism for the city's investment in the project; and

Whereas, a public hearing was held Monday, May 18, 1981, at 7:00 p.m. in the Council Chambers on the proposed land transfer; and

Whereas, by resolution dated November 29, 1976, this Council did state its intent to transfer $1,335,000 to the Economic Development Corporation of the City of Lansing, for the construction of the convention ballroom floor of the hotel of the "100 Block" development; and

Whereas, these transfers are necessary for the enhancement of the economic growth and development of the City and for the Urban Development Action Grant Agreement for the development of the "100 Block" hotel/office/retail complex;

Now, Therefore, Be It Resolved, the City Council of the City of Lansing hereby authorizes the immediate transfer of the land, described as Block 100, Original Plat, City of Lansing, as well as the immediate transfer of the $1,335,000 for the construction of the convention ballroom floor of the hotel, to the Economic Development Corporation of the City of Lansing, to be utilized for the construction of a hotel/office/retail complex on the "100 Block"; and

Be It Further Resolved, the interest accrued until September 1st, 1981, shall be placed in the general fund of the City and after September 1st, 1981, a segregated revenue account shall be established for these funds, to be appropriated by the City Council; and

Be It Finally Resolved, the repayment of the $1,335,000 loan shall be placed in this same segregated revenue account.

By COUNCILMAN ADADO—

That the resolution be amended as follows:

In the first "resolved" clause after the word "transfer" in the second line, delete the rest of the paragraph and complete the paragraph as follows:

". . . transfer to the Economic Development Corporation of the City of Lansing that property commonly known as the 100 Block, legally described as Block 100, Original Plat, City of Lansing, subject to an automatic reverter if the 100 Block project does not proceed as planned, as well as the immediate transfer to the Economic Development Corporation of the $1,335,000 reserved by the City Council for construction of the hotel's convention ballroom floor, such funds to be considered a loan to be used for construction of a hotel/office/retail complex on the 100 Block; and"

Carried.

Delete the second and third "resolved" clauses and slubstitute the following:

"Be It Further Resolved, all interest income derived through investment of the $1,335,000 loan shall be placed in the general fund of the City of Lansing until September 1, 1981, and as of September 1, 1981, a segregated revenue account shall be established to receive interest income plus repayment of the loan, such funds to be appropriated by the City Council; and"

Adopted by the Following vote:

Unanimously.

Add the following "final resolved" clause:

"Be It Finally Resolved, the Mayor and City Clerk are hereby authorized to sign a contractual agreement between the City and the Economic Development Corporation, stipulating the terms and conditions under which the $1,335,000 shall be loaned to the Economic Development Corporation."

Adopted by the following vote:

Unanimously.

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The resolution as amended was adopted by the following vote:

Unanimously.

By COMMITTEE OF THE WHOLE—

RESOLUTION ESTABLISHING THE TAX INCREMENT AUTHORITY OF LANSING, DESIGNATING THE BOARD AND DESIGNATING THE BOUNDARIES OF THE AUTHORITY DISTRICT

Whereas, Act No. 450 of the Public Acts of 1980 (the "Tax Increment Finance Authority Act") authorizes cities to establish a tax increment finance authority and to designate an authority district within which the tax increment finance authority shall exercise its powers; and

Whereas, the Tax Increment Finance Authority Act authorizes a tax increment finance authority to borrow money and issue its tax increment bonds to implement a plan of development in an authority district; and

Whereas, the City of Lansing hereby determines that it is in the best interests of the public to halt a decline in property values, increase property tax valuation, eliminate the causes of decline in property values, and to promote growth in and surrounding the area in the City of Lansing described as follows:

Commencing at the intersection of the center lines of Shiawassee and Walnut Streets, thence south along the center line of Walnut Street to the south line of Section 16, thence east along the south line of Section 16 to its intersection with the east line of Section 16, thence north along the east line of Section 16 to its intersection with the center line of Shiawassee Street, thence west along the center line of Shiawassee Street to the point of beginning (the "Authority District"); and

Whereas, pursuant to the requirements of the Tax Increment Finance Authority Act, the City Council of the City of Lansing held a public hearing on May 18, 1981, at 7:00 p.m. in the City Council Chambers, Tenth Floor, Lansing City Hall, Lansing, Michigan, pursuant to notice given in accordance with the Tax Increment Finance Authority Act, on the proposed establishment of the Tax Increment Finance Authority of Lansing and on the boundaries of the proposed Authority District.

Now, Therefore, Be It Resolved, that the City of Lansing hereby establishes, creates and provides for the operation of a tax increment finance authority to be known as the Tax Increment Finance Authority of Lansing pursuant to Act No. 450 of the Public Acts of Michigan of 1980.

Be It Further Resolved, that the Board of Directors of the Economic Development Corporation of the City of Lansing established pursuant to Act 338 of the Public Acts of 1974, as amended, is hereby designated as the Board having supervision and control of the Tax Increment Finance Authority of Lansing.

Be It Further Resolved, that the boundaries of the authority district within which the Tax Increment Finance Authority of Lansing shall exercise its powers are as follows:

Commencing at the intersection of the center lines of Shiawassee and Walnut Streets, thence south along the center line of Walnut Street to the south line of Section 16, thence east along the south line of Section 16 to its intersection with the east line of Section 16, thence north along the east line of Section 16 to its intersection with the center line of Shiawassee Street, thence west along the center line of Shiawassee Street to the point of beginning.

Adopted by the following vote:

Unanimously.

By COMMITTEE OF THE WHOLE—

Resolved by the City Council of the City of Lansing:

That the following transfers be approved:

$1,335,000.00 from Fund Balance—General Fund
A/C 101-000-000-390

$1,335,000.00 to Ballroom Facility—"100 Block" Project
A/C 101-936-120-975

I hereby certify that this is a properly drawn and eligible transfer.

JAMES W. DOWSETT,
Finance Director.

Adopted by the following vote:

Unanimously.

By WAYS AND MEANS COMMITTEE—

Resolved by the City Council of the City of Lansing:

That the following transfers be approved:

$10,306.00 from Professional Services—Conversion—Data Processing
A/C 101-221-000-801

11,400.00 from Education & Training Gen. Adm.
A/C 101-930-000-960

$21,706.00 to Equipment Rental—Data Processing
A/C 101-221-000-943

$ 1,226.00 from Estimated Revenue
A/C 101-000-000-160

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$ 1,226.00 to Citizen Contributions
Parks & Recreation
A/C 101-692-000-956

$ 8,000.00 from Insurance
A/C 765-958-000-910

$ 8,000.00 to Med. Serv. Police
A/C 765-958-002-823

$ 5,500.00 from Insurance
A/C 765-958-000-910

$ 5,500.00 to Self Insurer Funds
A/C 765-958-000-918

I hereby certify that this is a properly drawn and eligible transfer.

JAMES W. DOWSETT,
Finance Director.

Approved:

TERRY J. McKANE,
WILLIAM A. BRENKE,
JACK D. GUNTHER,
Ways and Means Committee.

Adopted by the following vote:

Unanimously.

## INTRODUCTION OF ORDINANCE(S)

The following ordinance(s) of the City of Lansing, Michigan, providing that the Code of Ordinances be amended by:

a. Establishing a Downtown Maintenance Special Assessment Program.

b. Revising subsections 36-104.3 and 36-104.4 and by adding subsections to be numbered 36-104.5 and 36-104.6 to create the positions of alternates, provide for the filling of vacancies in elected positions on the Citizens District Council in NDA No. 2 and provide for the holding of Special Elections.

c. Revising subsection 36-139.5 to create the positions of alternate, provide for the filling of vacancies in elected positions on the Citizens District Council in NDA No. 4 and provide for the holding of special elections.

d. Revising Section 2-19.1 of code—Water and Light Board funds; Method of disbursement.

e. Acquisition and demolition of property at 1404 W. Kalamazoo Street. ?

f. Revisions of Weights and Measures Ordinance.

g. Revising sections 37-30 and 37-35 to provide for street surfacing by subdividers and to permit the deferral of sidewalk construction by subdividers after final plat approval.

That Ordinances No. a, b, c, e, f and g be referred to the Committee on Physical Development and Ordinance No. d be referred to the City Attorney and the special Liaison Committee for the Board of Water and Light.

By COMMITTEE ON PUBLIC PROPERTIES AND SAFETY—

Resolved by the City Council of the City of Lansing:

That the City Clerk is hereby requested to schedule and announce a public hearing before the Lansing City Council on Monday, June 15, 1981, at 7:00 p.m. in the 10th floor Chambers of City Hall for the purpose of receiving public comment on the proposed ordinance establishing the Downtown Maintenance Special Assessment program.

Adopted by the following vote:

Unanimously.

By PHYSICAL DEVELOPMENT COMMITTEE—

Resolved by the City Council of the City of Lansing:

Whereas, the City of Lansing is rehabilitating Westside Neighborhood Development Area No. 1 in cooperation with the Federal Government for financial assistance all pursuant to Act 344, Public Acts of 1945, as amended; and

Whereas, the City of Lansing has prepared and adopted in Ordinance No. 467, a Physical Development Plan and a plan for relocating families and individuals who are to be displaced by the rehabilitation of said area; and

Whereas, the City of Lansing, acting by and through its Planning Department and Redevelopment Division, has consulted with Citizens' District Council No. 1 of Neighborhood Development Area No. 1; and

Whereas, that Council has recommended that the rehabilitation strategy adopted as part of the development plan be amended to acquire and demolish 1404 West Kalamazoo Street; and

Whereas, the Planning Board has reviewed and approved the recommendation to acquire and demolish 1404 West Kalamazoo Street; and

Whereas, this acquisition and demolition will assist the City residents in renovatnig this deteriorated residential area and is in compliance with Act 344, Public Acts of 1945, as amended; and

Whereas, the Act requires the City to provide citizens an adequate opportunity to ask questions and express opinions and concerns about modifications to the Physical Development Plan; and

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Whereas, the City of Lansing Charter, Article 3, Chapter 3, Section 3-303, requires that a public hearing be held on proposed ordinances;

Now, Therefore, Be It Resolved that two public hearings be held simultaneously at the regular meeting of the City Council on Monday, June 29, 1981, at 7:00 p.m. to satisfy the requirements of Act 344, Public Acts of 1945, as amended, to consider including the acquisition of 1404 West Kalamazoo Street in the amended Physical Development Plan, and Article XIV, Chapter 36 of the Code of Ordinances of the City of Lansing by adding a new section to be numbered Section 36-.....

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PHYSICAL DEVELOPMENT—

Resolved by the City Council of the City of Lansing:

That the City Clerk is hereby requested to schedule and announce a public hearing before the Lansing City Council on Monday, June 29, 1981 at 8:00 p.m. in the 10th floor chambers of City Hall for the purpose of receiving public input on the ordinance to amend by revising sections 37-30 and 37-35 to provide for street surfacing by subdividers and to permit the deferral of sidewalk construction by subdividers after final plat approval.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PHYSICAL DEVELOPMENT—

Resolved by the City Council of the City of Lansing:

Resolved by the City Council of the City of Lansing that the City Clerk is hereby requested to schedule and announce a public hearing before the Lansing City Council on Tuesday, June 9th, 1981 at 7:00 p.m. in the 10th floor chambers of City Hall for the purpose of receiving public input on two proposed ordinances regarding the selection of Citizen District Council members in NDA No. 2 and NDA No. 4.

Adopted by the following vote:

Unanimously.

By COUNCILMAN McKANE—

Resolved by the City Council of the City of Lansing:

That Councilman Belen be excused from the session.

Carried.

## REMARKS BY THE MAYOR'S EXECUTIVE ASSISTANT

No comment.

## REMARKS BY THE CITY COUNCIL

Councilman Blair spoke in regard to situation that exists at the Shamrock Bar and suggests that a hearing be held.

Councilman Gunther spoke on parade of May 23, 1981.

Neil J. Gaudard and representatives of the "ACORN" organization spoke and showed slides on condition of abandoned homes in the area.

Earl E. Klebba, 1710 Nottingham Road, spoke on Mayor's Veto.

John F. Pennell, 916 Raider St., spoke.

Cathey Springstad, 1529 Lansing Ave., spoke.

By COUNCILMAN WORTHINGTON—

That this meeting stand adjourned.

Carried.

Council adjourned at 9:30 p.m.

RITA M. BAUMAN,
Deputy City Clerk.

Lansing, Michigan

May 26, 1981

F/B

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CITY CLERK'S OFFICE
Room 921, City Hall
Lansing, Michigan 48933

Address Correction Requested

BULK RATE
U. S. POSTAGE
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Lansing, Michigan



# OFFICIAL PROCEEDINGS OF
# THE CITY COUNCIL
## OF THE CITY OF LANSING

## Proceedings, June 1, 1981

### CITY COUNCIL ROOMS

Lansing, Michigan

June 1, 1981

The City Council of the City of Lansing, Michigan, met in regular session and was called to order by President Belen.

Present: Councilmen Adado, Belen, Blair, Brenke, Gunther, Lindemann, McKane, Worthington—8.

Absent: None.

The Clerk announced that a quorum of the Council was present.

Invocation was given by Councilman Worthington.

Pledge of Allegiance was led by Councilman Worthington.

By COUNCILMAN McKANE—

That the Council Proceedings of May 4 and 11, 1981, be approved.

Carried.

### PUBLIC HEARING

June 1, 1981, at 7:00 o'clock being the time set as the time for holding a public hearing on the proposed Project Plan for the Capitol Park Restaurant and Lounge.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed Project Plan they had the privilege of speaking at this time.

Referred to the Committee on Economic Development.

### HEARINGS ON PROPOSED CHANGES IN ZONING CLASSIFICATIONS

June 1, 1981, at 7:00 o'clock being the time set as the time for holding a hearing on the proposed changes in the Classifications as provided for in the Zoning Code which was passed by the City Council on November 13, 1958, said proposed amendment being as follows:

That the property described as:

Z-4-81—1900 block Willard Street,

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to be rezoned from "A" One Family Residential District to "C" Two Family Residential District.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed amendment to the Classifications provided for in the Zoning Code he had the privilege of speaking at this time.

No objections were made to the proposed amendment.

Referred to Committee on Physical Development.

June 1, 198,1 at 7:00 o'clock being the time set as the time for holding a hearing on the proposed changes in the Classifications as provided for in the Zoning Code which was passed by the City Council on November 13, 1958, said proposed amendment being as follows:

That the property described as:

Z-6-81—737-739-741 N. Larch Street,

be rezoned from "C" Two Family Residential District to "H" Light Industrial District.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed amendment to the Classifications provided for in the Zoning Code he had the privilege of speaking at this time.

No objections were made to the proposed amendment.

Referred to Committee on Physical Development.

June 1, 1981, at 7:00 o'clock being the time set as the time for holding a hearing on the proposed changes in the Classifications as provided for in the Zoning Code which was passed by the City Council on November 13, 1958, said proposed amendment being as follows:

That the property described as:

Z-8-81—801 Hosmer Street,

be rezoned from "C" Two Family Residential District to "F" Commercial District.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed amendment to the Classifications provided for in the Zoning Code he had the privilege of speaking at this time.

No objections were made to the proposed amendment.

Peter DeLuca, petitioner, spoke.

Referred to Committee on Physical Development.

## HEARING ON PROPOSED SPECIAL USE PERMIT

June 1, 1981, at 7:00 o'clock being the time set as the time for holding a hearing on the proposed changes in the Classifications as provided for in the Zoning Code which was passed by the City Council on November 13, 1958, said proposed amendment being as follows:

That the property described as:

SUP-4-81—1000 Lincoln Avenue,

to be used as a Day Care Center.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed amendment to the Classifications provided for in the Zoning Code he had the privilege of speaking at this time.

Objections were made to the proposed amendment.

Rose Allender, 1136 Arlington—Lansing General Hospital, spoke and presented letter.

Joseph Whitacre, 2609 Devonshire, spoke opposing.

Harold W. Dudley, Bethany Baptist Church, spoke.

Vickie Rakowski, 810 Armstrong, spoke and read letter.

Ed. Ryan, 2601 Devonshire, spoke in opposition.

Karen Ridenour, Lansing General Hospital, spoke and presnted petition.

Nancy Rauscher, OYC Planning Board, read letter.

Referred to Committee on Physical Development.

**THE PUBLIC MAY NOW ADDRESS THE CITY COUNCIL ON ANY OF THE FOLLOWING ITEMS LISTED ON THE AGENDA: COMMUNICATIONS and PETITIONS, COMMITTEE REPORTS, REPORTS OF CITY OFFICERS AND BOARDS AND RESOLUTIONS. YOU MAY SPEAK ONLY FOR 3 MINUTES ON ANY ONE ITEM.**

Fred Stackable spoke relative to vacating E. Ionia Street.

Hazel Bethea, 202 W. Shiawassee St., spoke re: Genesee Building.

Orrin Sharpe, 1646 Wellington Rd., spoke relative resolutions 8 and 9.

Dick Simmons, 3400 Bedford Rd., spoke on letter No. 8.

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## COMMUNICATIONS AND PETITIONS

The following applications and bonds have been filed for licenses:

PUBLIC DRIVERS—
Jordan Carolyn Barnett, Robert Daniel Pizzo, Mark R. Sefcik, John Howard Donahoo.

Referred to Committee on General Services.

Final Plat of Capitol Commons filed.

Referred to Mayor, Planning Board.

P.L.D. Lansing, Inc., submits preliminary plat of Waverly Woods Subd.

Referred to Mayor, Planning Board.

Letter from W.I.L.S. thanking the City Council and Police Department for assistance received during the time they had their remote broadcast unit parked in Front of Moriarty's Pub at 802 E. Michigan Avenue.

Received and placed on file with copy to Lansing Police Department.

The following claims have been filed:

Arlene G. and Douglas C. Hunter for damage to their cemetery plot at Mt. Hope Cemetery.

Caroline Bruce for David Erickson for damage to his automobile due to accident with a Police Vehicle.

William Palmateer requesting reimbursement of money after he was taken to the Hospital by Lansing Mercy Ambulance Service, Inc.

Referred to Mayor, City Attorney.

Request from Donald Holmes and Gary Leftwich for permission to set up a hot dog cart in the Washington Square.

Referred to Mayor.

Letter from David Peis, D.O., expressing interest in purchasing the property at 206 East Michigan Avenue.

Referred to Mayor, Committee on Public Property and Safety.

Republic Development Corporation submits a quit claim deed to the City of Lansing covering approximately 8 acres of land on Coachlight Estates Subd.

Referred to Mayor, Committee on Public Property and Safety.

Letter from the Law Firm of Leo Goldstein, P.C., sent to the Michigan Tax Tribunal submitting six (6) motions to amend pleadings to include 1981 Assessment Appeals covering property owned by Michigan National Bank.

Referred to Mayor, City Attorney.

Industrial Welding, Inc., submits application for an Industrial Facilities Exemption Certificate at 2200 Olds Avenue.

Referred to Mayor, Economic Development Corporation, Committee on Economic Development.

Letter from the Capitol Commons Citizens District Council in regard to concerns related to the implementation of Capitol Commons.

Referred to Mayor.

## MAYOR'S EXECUTIVE ASSISTANT COMMENTS ON ANY ITEM ON THE AGENDA

No comment.

## REPORTS OF COMMITTEES

The COMMITTEE ON GENERAL SERVICES approves the following applications and bonds for licenses:

PUBLIC DRIVERS—
Jordan Carolyn Barnett, Robert Daniel Pizzo, Mark Robert Sefcik.

Signed:

WILLIAM A. BRENKE,
PAT LINDEMANN,
TERRY J. McKANE,
Committee on General Services.

By COUNCILMAN BRENKE—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

The COMMITTEE ON GENERAL SERVICES, to whom was referred the applica-

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tion of John Howard Donahoo for a public drivers license, reports as follows:

That said application be denied inasmuch as it did not receive the approval of the Chief of Police.

Signed:

WILLIAM A. BRENKE,
PAT LINDEMANN,
TERRY J. McKANE,
Committee on General Services.

By COUNCILMAN BRENKE—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

The COMMITTEE ON WAYS AND MEANS, to whom was referred the Bid Recommendation for the purchase of Rough Paper (Toilet Paper, Hand Towels, Shop Towels) Bid No. B-81-493, reports as follows:

It is recommended, after breaking down the costs per foot or sheet, that the second low bidder, Beecher Peck and Lewis, be awarded the bid. This is because only Beecher Peck and Lewis quoted prices firm for one year and the rough paper has to be ordered a minimum of four times during the next year. The small amount price difference of the second low bid over the low bid is anticipated to be easily recouped on later orders throughout the year because of no price increase. Last year paper prices increased nearly 16% over the course of the year.

Signed:

TERRY J. McKANE,
WILLIAM A. BRENKE,
JACK D. GUNTHER,
Committee on Ways and Means.

By COUNCILMAN McKANE—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

## REPORTS OF CITY OFFICERS AND BOARDS

May 28, 1981

President Lucile Belen and
Members of Lansing City Council

Re: Claim of Charles Weakley in the
Re: amount of $1,163.18

Dear President Belen and
Members of City Council:

On April 27, 1981, Mr. Weakley submitted a claim for reimbursement of damages sustained when a tree limb fell on his vehicle. An estimate in the amount of $1,163.18 accompanied the claim.

Information received from the Parks Deparement indicates that a top section of a sugar maple tree, approximately 8 inchs in diameter broke off and fell on Mr. Weakley's vehicle while parked at the curbside at 1305 West Hillsdale. The Parks Department indicated there were no external signs of defects and believed the limb to be healthy since it contained live buds. It appears the tree section fell because of high winds at the time.

Although it is the City's duty to repair and maintain trees located in the outlawn, such as the tree in question, it is apparent there was no negligence on behalf of the City causing damage to Mr. Weakley's vehicle. Therefore, it is the recommendation of this office that Mr. Weakley's claim in the amount of $1,165.18 be denied.

Respectfully submitted,

STEPHEN R. SAWYER,
City Attorney.

By COUNCILMAN ADADO—

That we concur in the recommendation of the City Attorney and said claim be denied.

Carried.

May 28, 1981

President Belen and Members
of the Lansing City Council

Re: Board of Water & Light—Village
Re: Green Litigation

Dear President Belen and
Members of City Council:

As you may be aware, some time ago Village Green Apartments and others initiated a class action lawsuit against the City of Lansing's Board of Water & Light alleging that the electric rates charged them and similar apartment units for electrical services to commons areas should be no higher than the electrical rates charged to residential users. Since it was filed, this lawsuit has grown in complexity and in importance. It now appears that an adverse decision to the Board of Water & Light would result in substantial liability and would have a significant impact on the Board of Water & Light's rate structure.

Since the institution of this lawsuit, the Board of Water & Light has been represented by Mr. Joseph Lavey. Although it is anticipated that Mr. Joseph Lavey will continue to represent the Board of Water & Light in this lawsuit, the specialized nature of law as it applies to public utility rate setting makes it desirable and necessary to retain the services as co-counsel to Mr. Lavey, of someone who specializes in

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that area of practice. Based upon that necessity the Board of Water & Light wishes City Council's permission to retain the services of Mr. William Parsley of the law firm of Loomis, Ewert, Ederer, Parsley, Davis & Gotting to act as co-counsel in the Village Green Apartments case. The services of Mr. Parsley would be paid for by the Board of Water & Light.

As is required by City Charter, I have examined the Board of Water & Light's request and discussed the matter with the Board's representatives and hereby recommnd that the City Council approve the Board of Water & Light's request. Mr. Parsley is an able attorney with extensive experience in the area of public utility rate making laws and may be expected to ably represent the Board in the matter.

If you have further questions regarding this matter, please do not hesitate to contact me.

Respectfully submitted,

SEPHEN R. SAWYER,
City Attorney.

Received and placed on file.

May 26, 1981

Miss Lucile Belen, President
and City Council Members

Lansing City Council

Lansing City Hall

Lansing, Michigan 48933

Dear Miss Belen and City Council Members:

I am aware of a communication received by you dated April 24, 1981, from Morris H. Stein, AIA President, Stein, Hinkle, Dawe and Associates, in regard to the selection of an architect for the 91 unit family housing development currently being pursued by Lansing Housing Commission. In brief, the Commission received a number of inquiries in regard to this development from architectural firms prior to the passage of the Council resolution on March 23, 1981, permitting the Commission to receive the preliminary loan enabling us to proceed. A majority of inquiries were received soon after the Commission received notice from HUD on May 9, 1980, of the units being awarded to the Commission. Of the inquiries received from interested architectural firms, none was directed to the Commission from Stein, Hinkle, Dawe and Associates. The fact is that all during the period that this matter was before the Council and was reported to the Lansing area by the media, the Commission received no inquiry from any Lansing architectural firm. Stein, Hinkle, Dawe and Associates were requested to interview by the Director's office and were interviewed by representatives of the Housing Commission.

The Lansing Housing Commission interviewed six firms and based on a number of indices (see attached) selected Korbuly/Graf Inc. Architects of South Bend, Indiana.

Housing Commissioners have expressed concern that all through the process of going through City Council for the necessary approvals, no interest was exhibited by any local architectural firms in this development.

On behalf of the Housing Commission, I would suggest that it is the business of the local firms to be abreast of developments under consideration locally and if truly interested, exhibit that interest so as to allow them to compete effectively with other firms.

In closing, I would state that the Lansing Housing Commission certainly would encourage local architectural firms to become actively interested in any future developments we become involved in and pursue them. Certainly they will be given consideration in competition with other firms.

Sincerely yours,

LANSING HOUSING
COMMISSION
Walter Norris, Jr.,
Executive Director.

Referred to Committee of the Whole.

DATE: 5/28/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Planning Director Re: Sale of City owned land Greenlawn-Cedar

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Refrred to Committee on Public Property and Safety.

DATE: 5/28/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Correspondence from Planning Director Re: ACT-10-81—City owned land Ottawa Street between Cedar and Larch
The attached is forwarded for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Public Property and Safety.

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DATE: 5/28/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Correspondence from Planning Director Re: ACT-5-81—Lowcroft Street The attached is forwarded for your action.

Referred to Committee on Public Property and Safety.

DATE: 5/28/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Mayor's Economic Development Advisory Group Re: EDC Request for Approval of Project Plan for Capitol Park Restaurant and Lounge Project

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Economic Development.

DATE: 5/28/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attacher correspondence from the Mayor's Economic Development Advisory Group Re: EDC Request for Certification of Project Area, Designation of Project District Area, and Determination of Necessity of Establishing Project Citizens' District Council for Quality Dairy Project at Pleasant Grove and Holmes

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Economic Development.

## RESOLUTIONS

By COMMITTEE OF THE WHOLE—

Resolved by the City Council of the City of Lansing:

That the City Council Meeting of Monday, June 8, 1981, be changed to meet on Tuesday, June 9, 1981, due to the Lansing Community College Election being held on Monday, June 8, 1981, and the City Clerk is in charge of the election for the Lansing Community College in the City of Lansing; and

Be It Further Resolved, that notice be given relative to this change in date.

Adopted by the following vote:

Unanimously.

By COUNCILMAN WORTHINGTON—

Resolved by the City Council of the City of Lansing:

Wheras, the Mayor has submitted his annual recommendations for position on City Boards; and

Whereas, Millie Caesar was recommended to be re-appointed to the Waterfront Development Board;

Now, Therefore, Be It Resolved, the City Council of the City of Lansing hereby confirms the re-appointment of Millie Caesar to the Waterfront Development Board for a term to expire in June of 1985.

Adopted by the following vote:

Unanimously.

By COUNCILMAN WORTHINGTON—

Resolved by the City Council of the City of Lansing:

Whereas, portions of Washtenaw and Chelsea Streets between Riddle and Huron Streets have never been vacated as public right-of-way, even though these sections of streets are now used as open space, walkway, and park for the Kingsley Place/ Riddle School complex; and

Whereas, the current uses are expected to continue in the future, and there is no requirement to retain the right-of-way designation;

Now, Therefore, Be It Rsolved, the Lansing City Council hereby approves the following vacations of right-of-way:

1. All of Washtenaw Street from the west ROW line of Riddle Street west to the east ROW line of Huron Street. This property to be retained by the City of Lansing as designated park land.

2. That part of Chelsea Street from the west ROW line of Riddle Street west to a point 91 feet east of the east ROW line of Huron Street. This property to revert to the Lansing School District.

and

Be It Further Resolved, the Administration is hereby requested to take all necessary actions to accomplish these vacations.

Adopted by the following vote:

Unanimously.

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By ECONOMIC DEVELOPMENT COMMITTEE—

**RESOLUTION APPROVING PROJECT PLAN**

**(Capitol Park Restaurant and Lounge Project)**

Minutes of a regular meeting of the City Council of the City of Lansing, County of Ingham, Michigan, held at 7:00 o'clock p.m., Michigan Time, on June 1, 1981, at which the following members were present: Councilmen Adado, Belen, Blair, Brenke, Gunther, Lindemann, McKane, Worthington; and the following were absent: None.

The following preamble and resolution were offered by Councilman Adado and supported by Councilman Blair:

Whereas, pursuant to Section 9 of the Economic Development Corporation Act, Public Act No. 338 of the Michigan Public Acts of 1974, as amended (the "Act"), the Planning Board of the City of Lansing submitted to this City Council its findings and recommendations for approval of the Project Plan relative to the Capitol Park Restaurant and Lounge Project (the "Project") of The Economic Development Corporation of the City of Lansing (the "Issue") on May 19, 1981, and this City Council has given due consideration to the findings and recommendations of the said Planning Board prior to consideration of this resolution; and

Whereas, this City Council has given notice pursuant to Section 17 of Public Act No. 338 of the Michigan Public Acts of 1974, as amended (the "Act"), of a public hearing which was held on Jun 1, 1981, relative to the Capitol Park Restaurant and Lounge Project (the "Project") of The Economic Development Corporation of the City of Lansing (the Issuer"(; and

Whereas, at said public hearing, the fullest opportunity was given for expression of opinion, for argument on the merits, and for introduction of documentary evidence pertinent to the Project Plan, and further, this City Council has given due consideration to all communications received in writing with reference thereto; and

Whereas, this City Council made and preserved a record of the public hearing, including all data presented thereat; and

Whereas, this City Council desires to express its approval of said Project Plan and the Project described therein, and wishes to request the Issuer to proceed with the Project and the financing threof.

Now, Therefore, Be It Resolved by the City Council of the City of Lansing, as follows:

1. It is hereby determined that the Project Plan for the Project as presented constitutes a public purpose within the meaning of the Act and said Project Plan is hereby approved in its entirety based on the following considerations:

a. The Project Plan meets the requirements set forth in Section 8 of the Act.

b. The persons who will be active in the management of the Project for not less than one year after the approval of the Project Plan have sufficient ability and experience to manage the Plan properly.

c. The proposed method of financing the Project is feasible and the Issuer has the ability to arrange the financing.

d. The Project is reasonable and necessary to carry out the purposes of the Act.

e. The findings and recommendations of the City of Lansing Planning Board.

2. The Economic Development Corporation of the City of Lansing is hereby requested to proceed with the Project and the financing thereof.

3. All resolutions or parts thereof in conflict with this resolution are hereby repealed, but only to the extent of such conflict.

4. The City Clerk is hereby directed to provide four certified copies of this resolution to the Secretary of the Issuer.

Yeas: Councilmen Adado, Belen, Blair, Brenke, Gunther, Lindemann, McKane, Worthington.

Nays: None.

Abstentions: None.

Resolution declared adopted.

STATE OF MICHIGAN }
COUNTY OF INGHAM } ss.

I hereby certify that the foregoing is a true and complete copy of a resolution adopted at a regular meeting of the City Council of the City of Lansing, County of Ingham, Michigan, held on the 1st day of June, 1981, and that the said minutes are on file in the office of the City Clerk and are available to the public. Public notice of said meeting was given pursuant to and in compliance with Act No. 267, Public Acts of Michigan, 1976.

THEO FULTON,
City Clerk.

Adopted by the following vote:

Unanimously.

By COUNCILMAN BRENKE—

Resolved by the City Council of the City of Lansing:

That the request made by Cristo Rey

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Community Center for a 48-hour liquor permit for the Twenty-Sixth Annual Holiday in Mexico Fiesta at the Marshall Street Armory on June 6th and 7th is hereby approved provided permission is granted by the Liquor Control Commission.

Adopted by the following vote:

Unanimously.

By COMMITTEE OF THE WHOLE—

Resolved by the City Council of the City of Lansing:

Whereas, the Board of Water & Light is engaged in a lawsuit wherein Village Green Apartments and others are challenging the validity of the Board of Water & Light's electric rates for commons areas in apartment buildings; and

Whereas, it is necessary to obtain the services of an attorney who is knowledgeable in the area of public utility rate making to adequately protect the interests of the Board of Water & Light in that lawsuit; and

Whereas, the Board of Water & Light has requested they be authorized to obtain the services of Mr. William Parsley to act as co-counsel on behalf of the Board of Water & Light in the Village Green Apartments case; and

Whereas, the City Attorney has recommended that the Board of Water & Light's request be approved; Now, Therefore,

Be It Hereby Resolved that the Board of Water & Light is authorized to retain the services of Mr. William Parsley of the law firm of Loomis, Ewert, Ederer, Parsley, Davis & Gotting to represent it in the case of Village Green Apartments, et al v City of Lansing with the costs of such representation to be paid by the Board of Water & Light.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON WAYS AND MEANS—

Resolved by the City Council of the City of Lansing:

Whereas, the City of Lansing currently owns property commonly known as the Genesee Center, located on the northwest corner of the Genesee Street/Butler Blvd. intersection; and

Whereas, the Administration has proposed disposal of this property; and

Whereas, the Downtown Neighborhood Association has recommended that the Genesee Center structure be demolished by the City, and that the site be maintained by the City as green space; and

Whereas, the Administration has estimated that demolition of the structure would cost $27,000 and annual maintenance costs of green space on the cleared site would be $1,950; and

Whereas, the fiscal resources of the City forecast through the end of the current fiscal year and into next year do not permit this level of expenditure for a low-priority discretionary project;

Now, Therefore, Be It Resolved, the Lansing City Council hereby determines that demolition of the Genesee Center structure now is not in the best financial interest of the City, and authorizes the Administration to explore other options, including sale of the property.

Adopted by the following vote:

Unanimously.

By COUNCILMAN BLAIR—

Resolved by the City Council of the City of Lansing:

Be It Hereby Resolved that in the event the City Council overrides the Mayor's veto of its increase of the City's supplement to the salary of the 54-A District Court Judges, it is the intention of City Council to grant no further increase in that supplement for a period of two years.

Adopted by the following vote:

Unanimously.

By COUNCILMAN BLAIR—

Resolved by the City Council of the City of Lansing:

Be It Hereby Resolved that the Rules of Procedure of the Lansing City Council are hereby amended by adding Rule 48 to read as follows:

**Judicial Pay**

Rule 48. In the event the Lansing City Council is requested or desires to appropriate money for the purpose of increasing the salary level of the Judges of the 54-A District Court; Before action is taken the President of City Council shall appoint an ad hoc citizens advisory committee of five members which shall examine the Judges' salaries and any proposals to raise them and recommend to City Council what, if any, increase is appropriate. City Council shall consider the recommendation of the committee in determining what, if any, increase in the Judges' salaries should be granted.

Adopted by the following vote:

Unanimously.

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By COMMITTEE OF THE WHOLE—

Resolved by the City Council of the City of Lansing:

Whereas, on May 18, 1981, the Lansing City Council adopted the FY 81-82 budget, which included an amount for salaries of six judges in the 54-A District Court higher than the amount recommended by the Mayor; and

Whereas, the Mayor subsequently placed a line item veto on that portion of the budget containing the judges' salary increase, using authority granted him by the City Charter;

Now, Therefore, Be It Resolved, the Lansing City Council does hereby override the Mayor's veto, and gives full force and effect to the budget resolution of May 18, 1981, as originally adopted.

Adopted by the following vote:

Yeas: Councilmen Adado, Belen, Blair, Gunther, Lindemann, McKane, Worthington—7.

Nays: Councilman Brenke—1.

By COMMITTEE OF THE WHOLE—

Resolved by the City Council of the City of Lansing:

The City Clerk is hereby requested to schedule and announce a public hearing before the Lansing City Council on June 15th, 1981, at 7:00 p.m., in the 10th floor Council Chambers for the purpose of receiving public input on revision to the Weights and Measures Ordinance sections 35-1 through 35-9.

Adopted by the following vote:

Unanimously.

By COMMITTEE OF THE WHOLE—

Resolved by the City Council of the City of Lansing:

The City Clerk is hereby requested to schedule and announce a public hearing before the Lansing City Council on June 15th, 1981, at 7:00 p.m., in the 10th floor Council Chambers for the purpose of receiving public input on the revision of the Code of Ordinances section 2-19.1 regarding disbursement of Board of Water and Light funds.

Adopted by the following vote:

Unanimously.

By WAYS AND MEANS COMMITTEE—

Resolved by the City Council of the City of Lansing:

That the following transfers be approved:

$ 159.00 from Surplus Equipment
A/C 101-233-001-977

$ 159.00 to Equipment
A/C 101-233-000-977

$75,000.00 from Fund Balance
A/C 101-000-000-390

$75,000.00 to Reserve for Contingency
A/C 101-941-000-963

$75,000.00 from Reserve for Contingency
A/C 101-941-000-963

75,000.00 from Civic Center—Estimated Revenues
A/C 593-000-000-160

$75,000.00 to Civic Center Subsidy
A/C 101-593-000-969

75,000 to Civic Center Utilities
A/C 593-539-000-920

I hereby certify that this is a properly drawn and eligible transfer.

JAN LAZAR,
Budget Director.

Approved:

TERRY J. McKANE,
WILLIAM A. BRENKE,
JACK D. GUNTHER,
Ways and Means Committee.

Adopted by the following vote:

Unanimously.

## INTRODUCTION OF ORDINANCE

The following ordinance of the City of Lansing, Michigan, providing that the Code of Ordinances be amended by amending Chapter 36, Article XIV of the code by adding a new section to be numbered 36-116.11 to provide for an amendment to the amended Physical Development Plan for NDA No. 3 within the City of Lansing was introduced by Councilman Worthington, read a first and second time by its title and referred to the Committee on Physical Development.

## REMARKS BY THE MAYOR'S EXECUTIVE ASSISTANT

Mr. Black spoke re. Shamrock Bar.

By COUNCILMAN BLAIR—

That the letter from the Mayor relative to the Shamrock Bar be placed on the agenda under suspension of the rules.

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REMARKS BY THE CITY COUNCIL

No remarks.

SUSPENSION OF THE RULES

By COUNCILMAN ADADO—

Resolved by the City Council of the City of Lansing:

That the rules of the Council be waived for the purpose of presenting items that are not listed on the agenda.

Carried.

Motion by Councilman Adado to reconsider the vote taken on the resolution of May 18, 1981, in regard to the vacation of E. Ionia Street.

Carried.

By COUNCILMAN ADADO—

That this be sent back to the Committee on Physical Development and the Liaison Committee for the Board of Water and Light.

Carried.

By COMMITTEE OF THE WHOLE—

Resolved by the City Council of the City of Lansing:

Whereas, the Friends of the Zoo Society has requested permission to solicit funds around the City as part of its annual "Button Day" on Saturday, June 6th, 1981, and

Whereas, the proceeds collected will go toward making further improvements at the Potter Park Zoo;

Now, Therefore, Be It Resolved, the City Council of the City of Lansing hereby approves of, and authorizes the Friends of the Zoo Society to collect funds on the streets of Lansing on Saturday, June 6th, 1981, between the hours of 10:00 a.m. and 4:00 p.m.;

Be It Further Resolved, the Council wishes the Friends of the Zoo every success in this event.

Adopted by the following vote:

Unanimously.

DATE: 6/1/81

TO: Council President Lucile Belen and Council Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Revoking of Liquor License(s)

Over the past years, I have requested City Council to consider revoking some liquor licenses where problems seem to center at the establishments concerned. I advised that a formal hearing by City Council was necessary, before action could take place.

I am again requesting your consideration of such action, said action to be directed toward the SHAMROCK BAR. For your information I am filing a report from the Lansing Police Department, which covers only the last ten (10) months of operations at the SHAMROCK BAR. I am of the opinion that the SHAMROCK BAR has been the center of a lot of difficulties during this short period.

GERALD W. GRAVES,
Mayor.

Referred to Committee on General Services.

Councilman McKane announced that the Management and Staff of the Civic Center had received a plaque from Michigan Soft Serve and Fast Food Association for outstanding work, service to distributors making facility cleanest and most efficient.

President Belen announced the Committee to look into City cars, i.e. Chariman of Public Properties and Safety Councilman Lindemann, Chairman of Ways and Means Committee Councilman McKane and Chairman Physical Development Councilman Worthington.

By COUNCILMAN BELEN—

That this meeting stand adjourned.

Carried.

Council adjourned at 8:40 p.m.

THEO FULTON,
City Clerk.

Lansing, Michigan

June 1, 1981

F/B

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CITY CLERK'S OFFICE
Room 921, City Hall
Lansing, Michigan 48933

Address Correction Requested

BULK RATE
U. S. POSTAGE
PAID
Permit No. 1461
Lansing, Michigan



# OFFICIAL PROCEEDINGS OF THE CITY COUNCIL OF THE CITY OF LANSING

## Proceedings, June 9, 1981

CITY COUNCIL ROOMS

Lansing, Michigan

June 9, 1981

The City Council of the City of Lansing, Michigan, met in regular session and was called to order by President Belen.

Present: Councilmen Adado, Belen, Blair, Lindemann, McKane, Worthington—6.

Absent: Councilmen Brenke, Gunther—2.

The Clerk announced that a quorum of the Council was present.

Invocation was given by Councilman Lindemann.

Pledge of Allegiance was led by Councilman Lindemann.

### PUBLIC HEARINGS

June 9, 1981, at 7:00 o'clock being the time set as the time for holding a public hearing on the proposed Ordinance amending Chapter 36 of the code by revising subsections 36-104.3 and 36-104.4 and by adding subsections to be numbered 36-104.5 and 36-104.6 to create the positions of alternates, provide for the filling of vacancies in elected positions on the Citizens District Council in NDA No. 2 and provide for the holding of special elections.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed ordinance they had the privilege of speaking at this time.

Referred to Committee on Physical Development.

June 9, 1981, at 7:00 o'clock being the time set as the time for holding a public hearing on the proposed Ordinance to amend Chapter 36 by revising subsection 36-139.5 to create the positions of alternate, provide for the filling of vacancies in elected positions on the Citizens District Council in NDA No. 4 and provide for the holding of special elections.

The Council President announced that if there was anyone present who had any

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suggestions or objections to make to the proposed ordinance they had the privilege of speaking at this time.

Priscilla Holmes, 220 Reo Ave., spoke in support.

Referred to Committee on Physical Development.

## PUBLIC HEARING, NDA NO. 3 PLAN AMENDMENT

CITY CLERK FULTON: This is the time set for the public hearing on the proposed amendment to the physical development plan for the Northside Neighborhood Development Area No. 3. This hearing is to consider an amendment prepared pursuant to the requirements of Michigan Act 344 of the Public Acts of 1945, as amended.

PRESIDENT BELEN: The Clerk will read.

CITY CLERK FULTON: The proposed amendment contains provisions for the acquisition of eleven residential structures at 1403, 1405, 1407, 1411, 1413, 1501, 1505, 1507, 1515, 1517, and 1525 Ballard Street in NDA No. 3.

PRESIDENT BELEN: Mr. Bruce Deason of the Lansing Planning Department will now proceed with the introduction of exhibits.

MR. DEASON: President Belen, Members of the City Council, ladies and gentlemen, this public hearing regarding the acquisition of properties located in the "West of Ballard" project area is being held in accordance with Michigan Act 344 of the Public Acts of 1945, as amended, an act known as the Blighted Areas Act. For the purposes of the record, I would like to introduce seven exhibits regarding the background of these properties and activities that have occurred in preparation for this hearing.

(It is not necessary to read each of the exhibits, but their description follows:

**Exhibit No. 1** is a certified copy of an excerpt from the Citizens' District Council No. 3 minutes of March 10, 1981, in which members tentatively approve the acquisition of the eleven properties in the project area.

**Exhibit No. 2** is a certified copy of an excerpt from the Lansing Planning Board minutes of April 21, 1981, in which members tentatively approve the "West of Ballard" project proposal.

**Exhibit No. 3** is background information of the proposed acquisition of properties in the "West of Ballard" project area.

**Exhibit No. 4** is a copy of the Resolution of the City Council setting June 9, 1981, as the date of the Public Hearing to consider the proposed plan amendment.

**Exhibit No. 5** is a certified copy of the notice of Public Hearing that was published in the **Lansing State Journal** on May 17, 1981.

**Exhibit No. 6** is an affidavit affirming that notice of the Public Hearing was distributed door-to-door in the district and development areas of Neighborhood Development Area No. 3 on May 19, 1981.

**Exhibit No. 7** is an affidavit affirming that notice of the Public Hearing was mailed to residents in the district and development areas in Neighborhood Development Area No. 3 on May 18, 1981.)

The project has several elements that have gradually led to this request for concurrence. Early in 1980 the Building Department began implementation of the Physical Development Plan for NDA No. 3 Expansion Area by inspecting homes of people who had applied for rehabilitation funds through the Community Development Program. The inspectors began to find that houses on the west side of Ballard in the 1400 and 1500 blocks showed evidence of severe foundation problems and other problems associated with shifting soil conditions such as cracked walls and porches pulling away from the houses. Based on a Building Department request, the Michigan Testing Engineers Inc. was commissioned to conduct soil borings on the east and west sides of Ballard and also in the 800 Block of McKinley. Their findings supported the findings of the Building Department in as much as they found the soil on the west side of Ballard to be inadequate to support the houses located on that portion of land in the 1400 and 1500 blocks. Based on their findings, further considerations were given to the structures at 1403, 1405, 1407, 1411, 1413, 1417, 1501, 1505, 1515, 1517, and 1525 Ballard. Page 18 of the Michigan Testing Report states in part that "The following areas are not considered feasible for rehabilitation . . . 1403 and 1405 Ballard; 1505 and 1507 Ballard; 1515 and 1517 Ballard." Building Dpartment inspectors continued to inspect houses in the area and recommended acquisition of 1405, 1411, 1501, 1507, 1517, and 1525 due to physical condition of the structures. Based on this information, it is recommended that the eleven properties in the project area be acquired, the residents relocated, and the structures demolished.

PRESIDENT BELEN: Anyone in the audience who would like to comment on the proposed acquisition of the properties at 1403, 1405, 1407, 1411, 1413, 1501, 1505, 1507, 1515, 1517 and 1525 Ballard Street in Neighborhood Development Area No. 3, the relocation of the residents, or the demolition of those structures, please step to the microphone, state your name, address, and comments, keeping in mind that there may be other people who would like to be heard.

The following persons spoke and asked questions:

Demitrio Saenz, 1318 Center St., owner of properties at 1405-1407 Ballard St.

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Mrs. Greenwood, 1515 Ballard St.

Mrs. Alston, 1517 Ballard St.

Charles Patterson, 1635 Ann St., East Lansing, owner of property on Ballard St.

Linda Suttle, 1407 Ballard St.

Jesus Costello, 1525 Ballard St.

Gene Melon, 1007 E. Grand River Ave.

Bruce Deason read the following letter to be made part of the record.

May 6, 1981

Mr. Bob Harris

Coordinator for Community Development

Lansing Planning Department

119 N. Washington Sq.

City Hall

Lansing, Michigan 48933

Dear Mr. Harris:

Cristo Rey Community Center wants to formally enter its name as an interested agency desiring negotiation with the City of Lansing concerning the property on the West side of the thirteen hundred block of N. Ballard St. This includes street numbers: 1403, 1405, 1407, 1411, 1413, 1501, 1505, 1507, 1515, 1525. Cristo Rey is in the process of an expansion program. We have sought to purchase the lots adjacent to the back of Cristo Rey, to wit: 1315 and 1317 N. High St.

We and the Planning Department representatives have spent considerable time discussing these properties with the hope that the City might be able to deed the property directly to Cristo Rey.

Our intent is to utilize part of this land for additional parking which is desperately needed by the Center. The remainder of the land would be used as a recreation area for our immediate neighborhood. This property has been discussed with Parks and Recreation officials and we feel that we could work out a mutual agreement for its maintenance.

We would appreciate hearing from you regarding our request and hopefully begin discussions between the City Planning Department and Cristo Rey Expansion Committee.

Respectfully,

Executive Director.
TONY BENAVIDES,

PRESIDENT BELEN: If there are no further comments, then the Planning Department is directed by the Chair to forward this Amendment to the Northside Neighborhood Development Area No. 3 Plan to Citizens' District Council No. 3 for that groups' review. Pursuant to Public Act 344, the District Councils' action must be completed during the 10 day period ending on June 19, 1981.

**THE PUBLIC MAY NOW ADDRESS THE CITY COUNCIL ON ANY OF THE FOLLOWING ITEMS LISTED ON THE AGENDA: COMMUNICATIONS AND PETITIONS, COMMITTEE REPORTS, REPORTS OF CITY OFFICERS AND BOARDS AND RESOLUTIONS. YOU MAY SPEAK ONLY FOR 3 MINUTES ON ANY ONE ITEM.**

Committee Report No. 3 and Resolution No. 6 were removed from the agenda.

Ann McGregor, Attorney representing clients, spoke in regard to resolution No. 3d—the vacation of Walker St. objecting to same.

Robert Schroeder, of Universal Sign Co., spoke on resolution No. 3d.

Resolution in regard to the vacation of Walker St. was removed from the agenda.

Morris Norkin, 3101 Delta River Dr., spoke in regard to the communication No. 7 opposing sidewalk in the 3100 block of Delta River Dr.

## COMMUNICATIONS AND PETITIONS

The following applications and bonds have been filed for licenses:

SIGN ERECTOR—
Capitol Sign Manufacturing, Inc.

BOWLING ALLEY—
Cedarway Lanes.

AUCTIONEER—
Dale Tebo.

Referred to Committee on General Services.

Summonses filed in United States District Court by:

Burhan Thabit, Jr. vs. City of Lansing, Ronald Lyon, John Doe, James Doe, Frank Doe and Michael Doe, (Lansing Police Officers) for assault and battery during arrest.

Equal Employment Opportunity Commission vs. City of Lansing in regard to unlawful employment practices at the Fire Department by requiring retirement without exception at age 60.

Referred to Mayor, City Attorney.

Claim filed by Neal Miller for damage to his automobile when a city vericle backed into it.

Referred to Mayor, City Attorney.

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Petition filed for rezoning:

Z-22-81—

Lot 39, Goodhome Subdivision, City of Lansing, Ingham County, Michigan, Section 27, from "A" One Family Residential District to "DM-1" Multiple Family Dwelling District—3029 Ruth Avenue.

Referred to Mayor, Planning Board.

Petition filed for:

S-1-81—

Storm Sewer and Curb and Gutter on Midwood St. from Pleasant Grove Rd. to Wise Rd.

Referred to Mayor and Committee on Physical Devlopment.

Request from Roy Markey for installation of a storm sewer on Renee St.

Referred to Mayor, Public Service Department.

Letter and Petition opposing installation of sidewalks on south 3100 block of Delta Drive.

Referred to Mayor, Committee on Physical Development.

Notice from Fred White Engineering Co. that all corners and monuments have been set and placed in Lancen Village No. 2 Plat.

Received and placed on file with copy to Planning Department.

Liquor Control Commission submits request from 3121 East, Inc., for transfer of ownership of 1981 B-Hotel licensed business with dance permit at 3121 E. Grand River Avenue from Sua, Inc.

Referred to Mayor, Committee on General Servics.

Request from Franklyn L. Giampa to place a portable hot dog cart in the downtown area during lunch hours.

Referred to Mayor.

Jupiter's request permission to set up a cold drink and hot dog cart in front of their store at 114 S. Washington Avenue during sidewalk sale days—June 25, 26, 27, 1981.

Referred to Mayor.

Everett Class of 1971 requests spcial 24-hour liquor permit for June 20, 1981, at the National Guard Armory.

By COUNCILMAN LINDEMANN—

That the above request be approved and the proper permit be obtained from the Liquor Control Commission.

Carried.

Requests filed for street closings to hold block parties at:

1400 block of Ohio Ave.—June 20, 1981.

200 block of E. Randolph St.—June 20, 1981.

6400 block of Marscott St.—June 24, 1981.

2600-2700 blocks Fairfax St.—July 4, 1981.

Memphis St. between S. Genesee and Shiawassee Streets—June 28, 1981.

Parkdale Ave. (between Shubel and Alpha)—June 14, 1981.

Referred to Mayor.

Lansing Regional Chamber of Commerce submits proposal prepared by the Downtown Parking Task Force on recommendation for improving Lansing's Downtown Parking System.

Referred to Mayor, Committee on Public Property and Safety.

Letter from the Ingham County Office for Young Children submits their support on the special use permit at 1000 Lincoln Avenue.

Referred to Mayor, Committee on Physical Development.

Letter from William Parsley, Attorney for Paul Fershee, appealing an Order of the Fire Prevention Bureau for violation notices received in connection with the cafeterias at the (Stevens T. Mason Bldg., Lewis Cass Bldg., and the Transportation Bldg.).

Referred to Mayor.

Stanley L. Martin submits application for a Commercial Redevelopment District for Quality Dairy Co. at 2121 W. Holmes Road.

Referred to Mayor, Economic Devlopment Corporation and the Committee on Economic Development.

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Michigan Water Resources Commission submits public notice in regard to the City of Lansing discharging treated wastewater to the Grand River from its facility at Sunset Avenue.

Received and placed on file.

Consumers Power Co. submits notice of public hearing held on June 8, 1981, in regard to monthly billings.

Received and placed on file.

## MAYOR'S EXECUTIVE ASSISTANT COMMENTS ON ANY ITEM ON THE AGENDA

No comment.

## REPORTS OF COMMITTEES

The COMMITTEE ON GENERAL SERVICES approves the following applications and bonds for licenses:

SIGN ERECTOR—
Capitol Sign Manufacturing, Inc.

BOWLING ALLEY—
Cedarway Lanes.

AUCTIONEER—
Dale Tebo.

Signed:

TERRY J. McKANE,
PAT LINDEMANN,
Committee on General Services.

By COUNCILMAN LINDEMANN—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

The COMMITTEE ON PUBLIC PROPERTIES AND SAFETY, to whom was referred the Mayor's letter of May 4, 1981, regarding a bid for the box office concession at the Civic Center, reports as follows:

Since only one bid was received, and since the bidder contends that the terms of his bid were misunderstood, the Mayor is requested to appoint a committee preferably of the Purchasing Director and Civic Center Manager, to work with the Internal Auditor allowing the committee to open market negotiations with the bidder for terms concerning the operation of a ticket concession at the Civic Center.

Signed:

PAT LINDEMANN,
SIDNEY P. WORTHINGTON,
JAMES D. BLAIR,
Committee on Public Properties and Safety.

By COUNCILMAN LINDEMANN—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

The COMMITTEE ON PUBLIC PROPERTIES AND SAFETY, to whom was referred the request from David Reis to purchase City property at 206 E. Michigan Avenue, reports as follows:

Due to impending development plans for the immediate area of Michigan Avenue at Grand Avenue, disposal of 206 E. Michigan is not contemplated at this time. Therefore, the request is denied.

Signed:

PAT LINDEMANN,
SIDNEY P. WORTHINGTON,
JAMES D. BLAIR,
Committee on Public Property and Safety.

By COUNCILMAN LINDEMANN—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

## REPORTS OF CITY OFFICERS AND BOARDS

DATE: 6/4/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Parks Department Re: Grand River School property

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Public Property and Safety.

By COUNCILMAN BLAIR—

Whereas, the Lansing School District has donated playground area at Grand River Elementary School to the City of Lansing for use as neighborhood park; and

Whereas, the Lansing School District will provide routine lawn and litter maintenance, with the City of Lansing responsible for maintaining those improvements undertaken by the City on the site; and

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Whereas, the property shall be legally described as:

1) The South 17' of Lot 154, Lots 155, 156 and 157 and the north portion of Lot 158 South from the Northeast corner 11.0' West 113.0', South 15.0', West 10.0' and South to the South property line, all in Highland Park Addition.

2) The West 22.0' of Lot 159, all in Highland Park Addition.

3) The Southwesterly portion of Lot 160 beginning at the Southwest corner North 8.0', West 124' and North to North property line, all in Highland Park Addition.

4) Lots 161 thru 174, all in Highland Park Addition.

5) The South 17' of Lot 181, Lot 180 and the North 28.0' of Lot 179, all in Highland Park Addition.

Now, Therefore, Be It Resolved, the Lansing City Council does hereby accept the above described Grand River Elementary School playground as park property.

Adopted by the following vote:

Unanimously.

DATE: 6/4/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Submission of attached correspondence from the Parks Department Re: Parks Board designation of Park Land

The attached correspondence is submitted for your information.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Public Property and Safety.

DATE: 6/4/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from A. Tubbs and the Mayor's Economic Development Advisory Group Re: Jackson National Life Commercial Redevelopment District at Executive Drive site.

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Economic Development.

DATE: 6/4/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from A. Tubbs and the Mayor's Economic Development Advisory Group Re: Washington Square Building request for establishment of Commercial Redevelopment District

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Economic Development.

DATE: 6/4/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from Al Tubbs: Planning Board Re: P-8-79, Irish Gardens

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Physical Development.

DATE: 6/4/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from A. Tubbs, Planning Board Re: Z-16-81, Edgewood Blvd./ American Road

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Physical Development.

DATE: 6/4/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor.

SUBJECT: Concurrence with attached correspondence from A. Tubbs, Planning Board Re: LS-13-81, 1123 Whyte Street

The attached correspondence is forwarded with my concurrence for your action.

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GERALD W. GRAVES,
Mayor.

Referred to Committee on Physical Development.

June 4, 1981

Council President Lucile Belen and
Members of the Lansing City Council

10th Floor, City Hall

Lansing, Michigan 48933

Dear Council President and Members:

For your consideration and confirmation, I am submitting to you the names of Thomas J. Papiernik and Gary Weston to serve as Temporary Directors on the Quality Dairy Company Project.

These two individuals are currently serving as Temporary Directors on other EDC projects.

Trusting this meets with your approval, I remain

Sincerely,

GERALD W. GRAVES,
Mayor.

Referred to Committee on Economic Development.

June 4, 1981

Council President Lucile Belen and
Members of the Lansing City Council

10th Floor, City Hall

Lansing, Michigan 48933

Dear Council President and Members:

Attached is a self-explanatory letter received by this office from the Communication Workers of America Local 4040.

It will have to be determined if the recommendations set forth by CWA fit into the various parking proposals that currently exist and from what sources funds would be available.

I would like your input on this matter as soon as conveniently possible.

Sincerely,

GERALD W. GRAVES,
Mayor.

Referred to Committee on Public Property and Safety.

## RESOLUTIONS

By COMMITTEE ON GENERAL SERVICES—

Resolved by the City Council of the City of Lansing:

That the request from ALSAC for three consecutive liquor permits for June 26, June 27, and June 28 at the National Guard Armory provided permission is granted by the Liquor Control Commission.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PUBLIC PROPERTIES AND SAFETY—

Resolved by the City Council of the City of Lansing:

Whereas, the residents of Coachlight Estates Subdivision have requested that the City acquire and develop a park for their neighborhood's use; and

Whereas, the recently-adopted Southwest Area Comprehensive Plan notes a shortage of neighborhood parkland in this area, and recommends that ". . . any land area suitably located that is offered to the City for park purposes as a donation by the land owners should be considered for acceptance."; and

Whereas, Republic Development Corporation has offered approximately eight (8) acres of land adjacent to the subdivision for City park purposes, provided the City pay all outstanding taxes on the property; and

Whereas, the value of the property as determined by the City Assessor is $33,000;

Now, Therefore, Be It Resolved, the Lansing City Council hereby accepts the offer of property as described on the attached Quit Claim Deed from Republic Development Corporation, provided funds are made available to pay all outstanding taxes; and

Be It Further Resolved, the City Assessor is hereby requested to determine the exact amount of taxes owed on said property for a report to the City Council's Committee on Ways and Means; and

Be It Finally Resolved, the park to be developed on said property shall be named the "Gerald W. Graves Park."

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PUBLIC PROPERTIES AND SAFETY—

Resolved by the City Council of the City of Lansing:

Whereas, Nancy Brandon has found it necessary to resign her appointment to the Citizens Advisory Committee on the Foster Street School (now the Eastside Community Center); and

Whereas, the Committee on Public Prop-

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erties and Safety has nominated Gina Larson to replace Nancy Brandon as the Business representative on the citizens committee;

Now, Therefore, Be It Resolved, the Lansing City Council hereby approves the appointment of Gina Larson as the Business representative to the Citizens Advisory Committee on the Eastside Community Center.

Adopted by the following vote:

Unanimously.

By COUNCILMAN LINDEMANN—

Resolved by the City Council of the City of Lansing:

Whereas, the City Council acted on May 11, 1981, to vacate Buffalo Street, south of Olds Avenue in an action known as Act-11-81; and

Whereas, the resolution of May 11, 1981, directed the entire parcel to be deeded to Industrial Welding, Incorporated; and

Whereas, it was discovered that Industrial Welding does not own the parcels on both sides of the portion of Buffalo Street to be vacated; and

Whereas, the State Plat Act requires street right-of-way to be divided equally between adjacent owners;

Now, Therefore, Be It Resolved, that the resolution of May 11, 1981, concerning Act-11-81 be amended to strike all reference to "Industrial Welding, incorporated" and substitute "adjacent property owners." All other conditions remain in force.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PUBLIC PROPERTIES AND SAFETY—

Resolved by the City Council of the City of Lansing:

Whereas, the Lansing City Charter and the Code of Ordinances require approval by a majority vote of the electors of the City voting, of any proposed disposal of City owned Park land, and

Whereas, the Lansing City Park Board has designated a portion of Gier Park with frontage on North East Street (Old US-27) as unsuitable for park development,

Now, Therefore, Be It Resolved, the question of whether the City of Lansing shall dispose of this parcel shall be submitted to the electorate of the City of Lansing for approval at the next Primary Election to be held Tuesday, August 4, 1981; and,

Be It Further Resolved, that the proposal shall be submitted to the electors of the City of Lansing upon voting devices in a manner and form as follows:

FORM OF BALLOT

SHALL THE CITY OF LANSING BE AUTHORIZED TO DISPOSE OF BY EXCHANGE A PART OF GIER PARK WITH 40 FOOT FRONTAGE ON NORTH EAST STREET AND WITH 180 FOOT DEPTH WHICH IS LEGALLY DESCRIBED AS:

Beginning at the northeast corner of Lot 53 of Banghart Subdivision, a subdivision in the north ½ of the southeast ¼ of the east ½ of Section 4, T4N, R2W, City of Lansing, Ingham County, State of Michigan; thence south forty feet along the west right-of-way of US-27, thence west 180 feet, thence north forty feet, thence east 280 feet to the point of beginning.

IN ORDER TO COMPLETE AN EXCHANGE FOR RIVERFRONT PROPERTY THAT IS ADJACENT TO TECUMSEH PARK AND THAT HAS BEEN APPRAISED BY THE CITY ASSESSOR AT EQUAL FAIR MARKET VALUE TO THAT PROPERTY BEING DISPOSED.

YES ☐ NO ☐

and;

Be It Further Resolved, that the City Clerk be and is hereby directed to prepare sufficient ballots to supply the demand for absent voters ballots, as above set forth; and,

Be It Further Resolved, that this resolution containing the above proposal be posted in a conspicuous place in each polling place in the City of Lansing; and,

Be It Further Resolved, that the votes cast upon such question shall be counted, canvassed and returned, and that the results thereof determined in a like manner, and by the same officials as prescribed for in the Primary election; and,

Be It Further Resolved, that the City Clerk certify the ballot wording to the County Clerk in conformance with the requirements of state law; and,

Be It Finally Resolved, that the City Clerk give ten (10) days notice of the submission of said proposal to the electors, such notice to conform to the provisions of the City Charter and state law relative to elections, and further that she cause a true copy of this resolution to be published and circulated twice in a daily newspaper in the City of Lansing, and that said first publication be at least ten (10) days prior to the date upon which said proposal is to be voted upon as herein provided.

Adopted by the following vote:

Unanimously.

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By COMMITTEE ON PHYSICAL DEVELOPMENT—

Resolved by the City Council of the City of Lansing:

ACT-14-81—

Whereas, the Property Manager of the City of Lansing requested the Planning Department to review the disposition of a 25 foot City owned alley on the west side of Smith's Subdivision of Townsend Subdivision between Main Street and William Street.

Whereas, the Planning Board has recommended that it would be in the best interest of the City to dispose of the unused portion of this alley subject to the following conditions:

1. An accurate description of the portion to be vacated be undertaken by the Public Service Department.
2. That the parcel be sold to the adjacent property owners to the east.
3. That the City initiate a petition to rezone the parcel to correspond with adjacent uses.

Whereas, the Physical Development Committee of the City Council concurs with the Planning Board recommendation;

Now, Therefore, Be It Resolved that the City Council adopt the Planning Board recommendations for disposal of the alley.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PHYSICAL DEVELOPMENT—

Resolved by the City Council of the City of Lansing:

ACT-20-81—

Whereas, Mr. Mark Chambers of 5715 Ellendale has requested the City to vacate a utility easement adjacent to the eastern edge of Lot 49, Lancen Village Subdivision for the purpose of constructing a garage;

Whereas, the Planning Department conducted an ACT 285 review on the request with no finding of need to retain the easement, and the Planning Board recommends that the easement be vacated;

Whereas, the Physical Development Committee of the City Council concurs with the Planning Board's recommendation;

Now, Therefore, Be It Resolved that the Council adopts the Planning Board recommendation to vacate the utility easement at 5715 Ellendale.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PHYSICAL DEVELOPMENT—

Resolved by the City Council of the City of Lansing:

ACT-7-81—

Whereas, the Property Manager of the City of Lansing requested the Planning Department to review the disposition of two parcels of land along the west side of Olds Avenue between Main Street and William Street.

Whereas, the Planning Board has recommended the following:

1. An accurate property description of the portion to be vacated be undertaken by the Public Service Department.
2. The larger, northernmost parcel be retained by the City at the present time to provide space for snow storage. However, should a potential buyer become interested in that piece in order to provide adequate parking, it could then be sold (at a price established by the City Assessor) or leased (long-term) with the understanding that the City of Lansing would still have the right to store snow on the site and that a restriction be placed against erecting a fence on the easterly side of the parcel.
3. The smaller parcel to the south be disposed of to C.S.J. Trucking Company for no consideration as they are presently using the parcel as access to their site.

Whereas, the Physical Development Committee of the City Council concurs with the Planning Board recommendation;

Now, Therefore, Be It Resolved that the City Council adopt the recommendation of the Planning Board.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PHYSICAL DEVELOPMENT—

Whereas, the Lansing City Council has established a policy regarding the disposition of vacant lots in Neighborhood Development Areas; and

Whereas, Section 8-403.4 of the City Charter of the City of Lansing requires that the City Council approve proposed sales of real estate,

Now, Therefore, Be It Resolved by the Lansing City Council that the following proposed sale be and is hereby approved:

To DuWayne H. and Rosemary Watkins, husband and wife, and Dean E. and Isabell A. Koski, husband and wife, the

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property legally described as the West 16.5 feet of the East 33 feet of Lots 16 and 17, except the South 33 feet of Lot 16, Block 2, Handy Home Addition, City of Lansing, Ingham County, Michigan. (Commonly known as portion of 910 Drury Lane, No. 3301-10-157-341-9).

Adopted by the following vote:

Unanimously.

By PHYSICAL DEVELOPMENT COMMITTEE—

Resolved by the City Council of the City of Lansing:

CAPITOL COMMONS CDC REAPPOINTMENTS

Whereas, the Capitol Commons Citizens' District Council has been operating as a Citizens' Advisory Committee, pursuant to Act 344, Public Acts of 1945 as amended since 1978; and

Whereas, the terms of office expire in June of 1981; and

Whereas, two (2) vacancies presently exist on the Capitol Commons Citizens' District Council; and

Whereas, there is a need for the Citizens' District Council to continue until the project is completed; and

Whereas, the Mayor of the City of Lansing has recommended that Gilbert Hill, Martha Stanfield, Sam Johnson, C. R. Kevwitch, Lee Mason, Patrick Landy, Arthur Sheffey, Emily Cunningham, Lola Ellis, Adella Christian, Oscar Stallworth, Ernestine McMullen and John Sullivan be reappointed, and William Harrison and William Simpson be appointed to the Capitol Commons Citizens' District Council for a three (3) year period ending June, 1984; and

Whereas, the Physical Development Committee has reviewed the Mayor's recommendation and concurs therewith;

Now, Therefore, Be It Resolved that the Council of the City of Lansing ordains that Gilbert Hill, Martha Stanfield, Sam Johnson, C. R. Kevwitch, Lee Mason, Patrick Landy, Arthur Sheffey, Emily Cunningham, Lola Ellis, Adella Christian, Oscar Stallworth, Ernestine McMullen and John Sullivan be reappointed to the Capitol Commons Citizens' District Council for a three (3) year period ending June, 1984; and

Be It Further Resolved that the Council of the City of Lansing ordains that William Harrison and William Simpson be appointed to the Capitol Commons Citizens' District Council for a three (3) year period ending June of 1984.

Adopted by the following vote:

Unanimously.

ZONINGS

By COUNCILMAN WORTHINGTON—

Whereas, it is deemed desirable to amend the Classification provided for in the Zoning Code of the City of Lansing, passed on the 13th day of November, 1958, in the following particulars, viz:

That property described as:

Z-12-81—736 Center Street,

be rezoned from "C" Two Family Residential District to "G" Business District and the "Map" be changed to indicate such transfer;

Therefore, Be It Resolved, that the City Clerk shall give at least fifteen days notice of a Public Hearing when all persons interested may attend and make any objections they may have to such proposed changes in said Zoning Code.

Resolved Further, that such hearing shall be held at the Council Chamber in the City Hall on the 29th day of June, 1981, at 7:00 o'clock p.m., and that notice of such hearing be published in the official publication of said city, as required by law.

Adopted by the following vote:

Unanimously.

By COUNCILMAN WORTHINGTON—

Whereas, it is deemed desirable to amend the Classification provided for in the Zoning Code of the City of Lansing, passed on the 13th day of November, 1958, in the following particulars, viz:

That property described as:

Z-15-81—2605 E. Cavanaugh Road,

be rezoned from "E-1" Drive-In Shop District to "DM" Multiple Dwelling District and the "Map" be changed to indicate such transfer;

Therefore, Be It Resolved, that the City Clerk shall give at least fifteen days notice of a Public Hearing when all persons interested may attend and make any objections they may have to such proposed changes in said Zoning Code.

Resolved Further, that such hearing shall be held at the Council Chamber in the City Hall on the 29th day of June, 1981, at 7:00 o'clock p.m., and that notice of such hearing be published in the official publication of said city, as required by law.

Adopted by the following vote:

Unanimously.

By COUNCILMAN WORTHINGTON—

Whereas, by petition duly filed on the 9th day of March, 1981, this Council was

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petitioned to change the following described property from "C" Two Family Residential District to "F" Commercial District, all as set forth in the Zoning Code of this city.

Whereas, the property involved is described as:

Z-9-81—806 West Saginaw Street,

More particularly described as:

Parcel numbers: 3301-08-486-061 and 3301-08-486-071

Lots 4 and 5, Englewood Park, City of Lansing, Ingham County, Michigan;

from a "C" Two Family Residential District to an "F" Commercial District.

Whereas, the applicants did not exercise their offer to purchase the property and on May 6, 1981, requested that the petition be withdrawn; and

Whereas, the Planning Board, at their meeting of May 19, 1981, recommended that the letter of withdrawal be accepted and further recommended that the petition be denied; and

Whereas, the Physical Development Committee of Council, to whom the report of the Planning Board was referred, concurred therewith;

Now, Therefore, Be It Resolved that the petition to rezone the above described property from a "C" Two Family Residentail District to an "F" Commerciai District be denied; and

Be It Further Resolved that the City Clerk be, and she is hereby, directed to notify the applicants and owners of this action.

Adopted by the following vote:

Unanimously.

By ECONOMIC DEVELOPMENT COMMITTEE—

Resolved by the City Council of the City of Lansing:

Whereas, it is necessary to hold a public hearing on the proposed establishment of a Lansing Commercial Redevelopment District, CRD-4-81, Washington Square Building, 109 W. Michigan Avenue, more particularly described as:

The north 48½ feet, Lots 1 and 2, Block 110, Original Plat.

Now, Therefore, Be It Resolved that the City Clerk given at least ten (10) days notice of a public hearing when all persons interested may attend and make any objections they may have to such proposed district; and

Be It Further Resolved that such hearing be held at the Council Chambers in the City Hall on the 29th day of June, 1981, at 7:00 p.m.; and that notice of such hearing be published in a publication of general circulation in said city.

Adopted by the following vote:

Unanimously.

By ECONOMIC DEVELOPMENT COMMITTEE—

Resolved by the City Council of the City of Lansing:

Whereas, it is necessary to hold a public hearing on the proposed establishment of a Lansing Commercial Redevelopment District, CRD-5-81, Jackson National Life Insurance, 5929 Executive Drive, more particularly described as:

Lot 43, Midway Industrial Center No. 2, a subdivision of a part of Section 3, T3N, R2W, City of Lansing, Ingham County, Michigan, according to the recorded plat thereof.

Now, Therefore, Be It Resolved that the City Clerk give at least ten (10) days notice of a public hearing when all persons interested may attend and make any objectoins they may have to such proposed district; and

Be It Further Resolved that such hearing be held at the Council Chambers in the City Hall on the 29th day of June, 1981, at 7:00 p.m.; and that notice of such hearing be published in a publication of general circulation in said city.

Adopted by the following vote:

Unanimously.

By ECONOMIC DEVELOPMENT COMMITTEE—

City of Lansing
County of Ingham, Michigan

RESOLUTION CERTIFYING APPROVAL OF PROJECT AREA DESIGNATION, ESTABLISHING PROJECT DISTRICT AREA BOUNDARIES AND APPOINTING ADDITIONAL DIRECTORS FOR THE QUALITY DAIRY PROJECT

Minutes of a regular meeting of the City Council of the City of Lansing, County of Ingham, Michigan (the "Council"), held on June 9, 1981, at 7:00 o'clock p.m., Eastern Time.

Present: Councilmen Adado, Belen, Blair, McKane, Lindemann, Worthington.

Absent: Councilmen Brenke, Gunther.

The following preamble and resolution were offered by Councilman Adado and supported by Councilman McKane:

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Whereas, there exists in the City of Lansing, County of Ingham, Michigan (the "City") the need for certain programs to alleviate and prevent conditions of unemployment, to assist and retain local industrial and commercial enterprises in order to strengthen and revitalize the City's economy and to encourage the location and expansion of industrial and commercial enterprises to provide needed services and facilities to the City and its residents; and

Whereas, a program to alleviate the aforesaid conditions and accomplish said purposes has been initiated by The Economic Development Corporation of the City of Lansing (the "Corporation"); and

Whereas, the Corporation in conformity with Act No. 338, Public Acts of Michigan, 1974, as amended ("Act No. 338"), has designated the hereinafter described project area for such a program to this Council for its approval thereof; and

Whereas, it is also necessary for this Council to establish project district area boundaries; and

Whereas, it is also necessary for this Council to approve the appointment of two additional directors to the Board of Directors of the Corporation pursuant to the provisions of Section 4 (2) of Act. No. 338;

Now, Therefore, Be It Resolved that :

1. This Council does hereby certify its approval of the Corporation's designation of the project area described in Exhibit A hereto attached.

2. This Council does hereby establish as a project district area the property described in Exhibit B hereto attached.

3. This Council does hereby cerfity its approval of the individuals listed on Exhibit C as additional Directors of the Corporation to serve in conformity with the provisions of Section 4 (2) of Act No. 338.

4. It is hereby determined that the requirements of Section 20 of Act No. 338 have been met and that the formation of a project citizens district council is not required.

5. The City Clerk be and is hereby directed to deliver a certified copy of this resolution to the Secretary of the Board of the Corporation.

6. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same hereby are rescinded.

Ayes: Councilmen Adado, Belen, Blair, McKane, Lindemann, Worthington.

Nays: None.

Resolution declared adopted.

THEO FULTON,
City Clerk.

Adopted by the following vote:

Unanimously.

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City Council of the City of Lansing, County of Ingham, Michigan, at a regular meeting held on June 9, 1981, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 257, Public Acts of Michigan, 1976, and that the minutes of said meeting were kept and will be or have been made available as required by said Act.

THEO FULTON,
City Clerk.

## EXHIBIT A

### Project Area Legal Description

All that parcel of land in the Northwest corner of the Northwest one-quarter of Section 32, Town 4 North, Range 2 West, lying North and West of the Lake Shore and Michigan Southern Railroad, being part of the Chauncey Murphey Estate, (formerly in Lansing Township, Ingham County, Michigan), subject to all easements and restrictions established or of record; including a right-of-way easement granted to Michigan Bell Telephone Company six (6) feet in width, parallel and adjacent to the highway known as Pleasant Grove; the centerline of said easement being thirty-six (36) feet east of the centerline of Plasant Grove.

## EXHIBIT B

### Project District Area Legal Description

All that parcel of land in the Northwest corner of the Northwest one-quarter of Section 32, Town 4 North, Range 2 West, lying North and West of the Lake Shore and Michigan Southern Railroad, being part of the Chauncey Murphey Estate, (formerly in Lansing Township, Ingham County, Michigan), subject to all easements and restrictions established or of record; including a right-of-way easement granted to Michigan Bell Telephone Company six (6) feet in width, parallel and adjacent to the highway known as Pleasant Grove; the centerline of said easement being thirty-six (36) feet east of the centerline of Pleasant Grove.

## EXHIBIT C

### Additional Directors of the Corporation

Gary Weston and Thomas Papiernik, Sr., have been appointed additional Directors of the Corporation to serve in conformity with the provisions of Section 4 (2) of Act No. 338.

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Resolution No. 5 in regard to increase in retirement benefits of non-union members of the Policemen's and Firemen's Retirement System, was referred back to the Committee on Ways and Means.

By COUNCILMAN McKANE—

Resolved by the City Council of the City of Lansing:

That the following transfers be approved:

$4,800.00 from CIP—Council Chambers Renovation
A/C 101-936-079-976

$4,800.00 to Equipment
A/C 101-101-000-977

$ 100.00 from General Fund—Estimated Revenues
A/C 101-000-000-160

$ 100.00 to General Fund—Fire Dept. Adm. Division—Citizens Contribution Account
A/C 101-337-000-956

$7,000.00 from Washington Park Paving
A/C 101-936-720-974

$7,000.00 to Repair and Maintenance
A/C 101-718-000-931

I hereby certify that this is a properly drawn and eligible transfer.

JAN LAZAR,
Budget Director.

The following transfer of funds in the amount of $7,000.00 from Washington Park Paving to Repair and Maintenance was referred back to the Committee on Ways and Means.

The following vote was taken on the transfer of funds for $100.00 and $4,800.00.

Adopted by the following vote:

Unanimously.

## INTRODUCTION OF ORDINANCE

The following ordinance of the City of Lansing, Michigan, providing that the Code of Ordinances be amended by adding a new Section 59 for the purpose of updating the license requirements for drain and sewer layers and sewer cleaners to comply with State and Federal Law to Chapter 27 of the Code of Ordinances, was introduced by Councilman McKane, read a first and second time by its title and referred to the Committee on General Services.

By COUNCILMAN McKANE—

Resolved by the City Council of the City of Lansing:

The City Clerk be and is hereby requested to schedule and announce a public hearing before the Lansing City Council on June 22, 1981, at 7:00 p.m. in the 10th floor Council Chambers for the purpose of receiving public input on the revision of the Weights and Measures Ordinance.

Adopted by the following vote:

Unanimously.

By COUNCILMAN McKANE—

Resolved by the City Council of the City of Lansing:

That Councilmen Brenke and Gunther be excused from the session.

Carried.

## REMARKS BY THE MAYOR'S EXECUTIVE ASSISTANT

No remarks.

## REMARKS BY THE CITY COUNCIL—WAIVE COUNCIL RULES

By COUNCILMAN McKANE—

Resolved by the City Council of the City of Lansing:

That the rules of the Council be waived for the purpose of presenting items that are not listed on the agenda.

Carried.

Letter from Frank Tafel, softball score keeper in regard to requesting a raise in pay.

Referred to Park Board and Committee on Human Services.

Request from Anne E. Edwards requesting the closing of Climax Street between Morgan and Parker on June 13, 1981, for street picnic.

Referred to Mayor.

Request from Michael C. Barros asking that special waiver be made in regard to no parking on Inverness Street on June 13th from 5 p.m. to 12 midnight.

Referred to Mayor.

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By COUNCILMAN McKANE—

To whom was referred the request for transfer of $22,000 to cover expenses in the Personnel Department's Professional Services—Legal account, reports as follows:

The Personnel Director has incurred significant expenses for outside legal services beyond the appropriation in his account for this purpose without requesting additional funds in advance. The expenses are legitimate in that necessary work was performed in good faith by the Department's law firm. By authorizing this work, however, the Personnel Director seems to have violated provisions of the City Charter, policies adopted by the City Council, and procedures established by the Administration. This matter, including a report by the Internal Auditor, is hereby referred to the Mayor. A response is requested on the following:

1. What are the current administrative procedures that direct compliance with the Council's policy adopted March 3, 1980, on procurement of outside professional services Is the intent of the Council's policy clear to all elements of the Administration?

2. Is there a need to modify administrative procedures to prevent account overruns by department heads?

3. What steps will be taken to establish or amend administrative procedures to guarantee compliance with P.A. 621 of 1978?

Adopted by the following vote:

Unanimously.

Marie Roche, 114 E. Hillsdale, spoke relative 2 dogs at 620 S. Grand Ave. and 1 dog at 121 E. St. Joe St.

Referred to Mayor and City Attorney.

By COUNCILMAN BELEN—

That this meeting stand adjourned.

Carried.

Council adjourned at 8:45 p.m.

THEO FULTON,
City Clerk.

Lansing, Michigan

June 9, 1981

F/B

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CITY CLERK'S OFFICE
Room 921, City Hall
Lansing, Michigan 48933

Address Correction Requested

BULK RATE
U. S. POSTAGE
PAID
Permit No. 1461
Lansing, Michigan



# OFFICIAL PROCEEDINGS OF
# THE CITY COUNCIL
## OFFICIAL PROCEEDINGS OF

## Proceedings, June 15, 1981

### CITY COUNCIL ROOMS

Lansing, Michigan

June 15, 1981

The City Council of the City of Lansing, Michigan, met in regular session and was called to order by President Belen.

Present Councilmen Belen, Blair, Brenke, Gunther, McKane, Worthington—6.

Absent: Councilmen Adado, Lindemann—2.

Th Clerk announced that a quorum of the Council was present.

Invocation was given by Councilman Gunther.

Pledge of Allegiance was led by Councilman Gunther.

By COUNCILMAN McKANE—

That the council proceedings of May 18, 25, and June 1, 1981 be approved.

Carried.

### PUBLIC HEARING

June 15, 1981, at 7:00 o'clock being the time set as the time for holding a public hearing on the proposed revision of the Code of Ordinances Section 2-19.1 regarding disbursement of Board of Water and Light Funds.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed ordinance they had the privilege of speaking at this time.

Referred to Committee on General Services.

### PUBLIC HEARING

June 15, 1981, at 7:00 o'clock being the time set as the time for holding a public hearing on the proposed revision of the Weights and Measures Ordinance—Sections 35-1 through 35-9 of the Code.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the pro-

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posed ordinance they had the privilege of speaking at this time.

Referred to Committee on General Services.

## PUBLIC HEARING

June 15, 1981, at 7:00 o'clock being the time set as the time for holding a public hearing on teh proposed ordinance establishing the Downtown Maintenance Special Assessment Program—Establishing Chapter 27B to consist of sections 27B-1 through 27B-7 inclusive to be entitled "Principal Shopping Center Special Assessments" and to provide for the improvement and maintenance of Lansing's Downtown Shopping Area and for specially Assessing the cost thereof against properties benefiting thereby.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed ordinance they had the privilege of speaking at this time.

Letter from Gordon W. Johnson, of the law firm of Porter, Wright, Morris and Arthur representing the forme J. W. Knapp Company in opposition to the proposed assessment.

The following persons spoke in opposition:

Chris Baryames

Thomas Walsh

Edward Remick, representing Public Library.

H. James Starr.

The following persons spoke in favor:

Fred Stackable and Don Boone.

Jerry Zimmerman, Downtown Business Maintenance Committee.

Michael Hodges.

Tom Green, Downtown Business Maintenance Committee.

Dick Neller.

Mike Seward, Regional Chamber of Commerce.

Lingg Brewer.

Referred to Committee on Public Property and Safety.

**THE PUBLIC MAY NOW ADDRESS THE CITY COUNCIL ON ANY OF THE FOLLOWING ITEMS LISTED ON THE AGENDA: COMMUNICATIONS AND PETITIONS, COMMITTEE REPORTS, REPORTS OF CITY OFFICERS AND BOARDS, AND RESOLUTIONS. YOU MAY SPEAK ONLY FOR 3 MINUTES ON ANY ONE ITEM.**

Resolutions 4c and d removed from agenda.

Richard Simmons, 3400 Radford Rd., spoke re: letter from Mayor on Coachlight Commons.

## COMMUNICATIONS AND PETITIONS

The following applications and bonds have been filed for licenses:

CABARET —
Driftwood.

MECHANICAL AMUSEMENT —
Wherehouse Records, Art's Bar.

SIGN ERECTOR —
J. D. Wisner.

AUCTIONEER —
Tom Westfall.

RELIGIOUS SOLICITATION —
Apostolic Church.

CHARITABLE SOLICITATION —
Popular Arts Workshop.

PUBLIC DRIVERS —
Terry Gene Beasley, David Wilson Chamberlain, Brian Paul Ferguson, Harrison James Holey, Frank Lessa, Merritt Chandler Nauts, Johannes Daniel Tellier, Paul Adam Wokas.

Referred to Committee on General Services.

The following claims have been filed:

Mrs. Rosa Malcangi for damage to lawn mower due to protruding stop sign post that had been cut off.

Brian A. Kaser for damage to automobile in the N. Grand Parking Ramp due to maintenance crew working on parking structure and spraying with linseed oil that got on his car.

Ardena L. Walsh for injuries sustained due to fall on raised sidewalk.

Mark S. Farrell for injuries sustained due to fall after slipping on an icey curb way.

Tim Bradley Gendreau for damage to his automobile while parked in the N. Grand Ramp due to maintenance crew spraying ramp.

James Magnotta for damage to clothing and vehicle by City of Lansing truck spraying oil.

Louise Ferguson for damage to her lawn

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and shrubs due to City of Lansing water truck.

Referred to Mayor, City Attorney.

Petitions filed for rezoning:

Z-23-81 —

Lots 58, 59, 60 Plat of Parkdale Subd. of a part of the East ½ of the Southwest ¼ of Section 22, T4N, R2W, City of Lansing, Ingham County, Michigan from "D-1" Professional Office District to "J" Parking District (3 vacant lots in the 1000 block of East Mt. Hope Avenue).

Z-24-81 —

Beginning at a point 100.0 feetSouth and 70.0 feet West of the intersection of East line of Lot 24 and South line of Grand River Avenue, said South line being 50.0 feet from and parallel to centerline of Grand River Avenue; thence West 135 feet more or less, to a point on City right of way line which is 120.0 feet East of the West line of Lot 24, thence North parallel with said West line to the south line of Grand River Avenue, thence Southeasterly along South line of Grand River Avenue to a point 50.0 feet from and at right angle to the East line of Lot 24, thence Southwesterly to the point of beginning; (excepting the South 79.0 feet thereof and East 12.0 feet thereof), all in Lot 24 of Townsend's Subdivision on Sections 4, 5, 8 and 9, T4N, R2W, City of Lansing, Ingham County, Michigan, from "F" Commercial District to "G-2" Wholesale District—(2535 N. Grand River Avenue).

Referred to Mayor, Planning Board.

Petition filed for S-3-81—Sanitary Sewer on Richard Rd. from Edgewood Rd. south to I-96.

Referred to Mayor, Public Service Department, Committee on Physical Development.

Fishbeck, Thompson, Carr & Huber, Inc., submits proposed preliminary plat of Berkey Industrial Park.

Referred to Mayor, Planning Board.

Requests filed for block parties on the following streets:

Pontiac St. — June 20, 1981.

Penrose Dr. — June 20, 1981.

Referred to Mayor.

Robert C. Kerzka, Attorney, submits documents (Petition, Proof of Service and filing fee) to the Michigan Tax Tribunal in connection with property at 3333 Moores River Dr.

Referred to Mayor, City Attorney.

Tri-County Regional Planning Commission submits maps and tables from the 1980 U.S. Census.

Referred to Mayor, Planning Department.

## MAYOR OR HIS EXECUTIVE ASSISTANT COMMENTS ON ANY ITEM ON THE AGENDA

Mr. Black spoke re: letter from Mayor on Coachlight Commons.

## REPORTS OF COMMITTEES

The COMMITTEE ON GENERAL SERVICES approves the following applications and bonds for licenses:

CABARET LICENSE —
Driftwood.

MECHANICAL AMUSEMENT DEVICE —
Wherehouse Records, Art's Bar.

SIGN ERECTOR —
J. D. Wisner.

AUCTIONEER —
Tom Westfall.

RELIGIOUS SOLICITATION —
Apostolic Church.

CHARITABLE SOLICITATION —
Popular Arts Workshop.

PUBLIC DRIVERS —
Terry Gene Beasley, David Wilson Chamberlain, Brian Paul Ferguson, Harrison James Holey, Frank Lessa, Merritt Chandler Nauts, Johannes Daniel Tellier, Paul Adam Wokas.

Signed:

WILLIAM A. BRENKE,
TERRY J. McKANE,
Committee on General Servies.

By COUNCILMAN BRENKE—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

The COMMITTEE ON PHYSICAL DEVELOPMENT, to whom was referred the rezoning petition Z-6-81 for property at 737, 739, 741 N. Larch Street, from "C" Two Family Residential District to "H" Light Industrial District, reports as follows:

That said rezoning be approved.

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Signed:

SIDNEY P. WORTHINGTON,
LUCILE BELEN,
WILLIAM A. BRENKE,
Committee on Physical Development.

By COUNCILMAN WORTHINGTON—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

The COMMITTEE ON PHYSICAL DEVELOPMENT, to who mwas referred the rezoning petition Z-4-81 for property at vacant land located in the 1900 block of Willard Avenue from "A" One Family Residential District to "C" Two Family Residential District, reports as follows:

That said rezoning be approved.

Signed:

SIDNEY P. WORTHINGTON.
LUCILE BELEN,
WILLIAM A. BRENKE,
Committee on Physical Development.

By COUNCILMAN WORTHINGTON—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

## REPORTS OF CITY OFFICERS AND BOARDS

DATE: June 5, 1981

TO: Council President Lucile Belen,
Mayor Gerald Graves and
City Clerk Theo Fulton

FROM: Edward J. Piloske,
Principal Internal Auditor

SUBJECT: Interim Monitoring Audit of El Renacimiento's CETA Title II Subcontract.

In accordance with Section 3-402.3 of the City Charter, the Office of Internal Audit submits the following Interim Monitoring Audit report of El Renacimiento's FY 1980-81 CETA Title II subcontract subgranted by the City of Lansing.

We call attention to item A of the Findings and Recommendations section of this report and hereby notify the Controller of the federal tax status under this subcontract in order that he may take such actions as he deems appropriate under his legal responsibilities. We request that the Controller appraise Internal Audit of the resolution of this matter. We further urge the Controller to continue the specific monitoring procedures established for this subcontract.

Referred to Mayor, City Controller.

June 8, 1981

Honorable Mayor Gerald Graves,

Council President Lucile Belen,
and Members of the City Council

Dear Mayor Graves and Council Members:

We are forwarding to you a resolution approved by the Lansing Economic Development Corporation Board of Directors of action taken at a regular meeting held on June 3, 1981, approving the Resolution of Inducement and Intent to Issue Revenue Bonds, to Designate Project Area and to Appoint Bond Counsel. Therefore, it will be necessary for you to appoint two (2) Temporary Directors to this project.

The applicant, Jackson National Life Insurance Company, proposes to construct their World Headquarters Office Building to be located on Executive Drive in the Midway Subdivision in the City of Lansing, Michigan. The result in the employment will be approximately 60 to 90 addiitonal people. They are requesting $5,000,000 in EDC bonding.

The Economic Development Corporation is in the process of developing a Project Plan to be presented to you at a future date.

Also, inasmuch as there is no residential area to be affected by the Project Plan, we believe that it is not necessary to establish a Project Citizens District Council.

Sincerely yours,

EMERSON B. OHL,
Executive Director.

Referred to Committee on Economic Development.

June 5, 1981

Council President Lucile Belen and
Members of the Lansing City Council

10th Floor, City Hall

Lansing, Michigan 48933

Dear Council President and Members:

On April 16, 1981, the name of Rex Carl, Jr., was submitted to you to serve as the 1st Ward Representative to the Public Service Board. Unfortunately, through miscommunication with Mr. Carl, it was subsequently discovered that Mr. Carl did not reside in the City of Lansing, and this office had erroneously been given Mr. Carl's business address as his residence address.

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Therefore, to fill this vacancy, I am now submitting to you for your consideration and confirmation, the name of Nelson Stark to serve as a member of the Public Service Board, which term expires in June of 1985.

Mr. Stark resides in the City of Lansing at 300 N. Hayford and is a retired Engineer, formerly with the Federal Highway Administration for 23 years.

Trusting this recommendation meets with you rapproval, I remain

Sincerely,

GERALD W. GRAVES,
Mayor.

Referred to Committee on Physical Development.

DATE: 6/11/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Correspondence from the Public Service Director regarding Sanitary Sewers—Wayne and Irene Streets.

The attached is forwarded for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Physical Development.

DATE: 6/11/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Operations Analyst. Re: Sale of Vacant Lots—NDA No. 1 and NDA No. 3 Expansion.

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Physical Development.

DATE: 6/11/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Director of Building Safety and Development. Re: Request for setting Public Hearing—1000 Shepard St.

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Public Property and Safety.

June 11, 1981

Council President Lucile Belen and
Members of the Lansing City Council

10th Floor, City Hall

Lansing, Michigan 48933

Dear Council President and Members:

I am greatly honored by City Council's decision to name the proposed park in the Coachlight Commons area the "Gerald W. Graves Park" as part of the action for the City to accept that property from Republic Development Corporation.

I must, however, request that City Council reconsider its entire action on this matter inasmuch as Council's haste to respond to the needs of the neighborhood residents has short-circuited certain procedural steps. In particular, I wish to point out to City Council that the property in question has delinquent property taxes from 1979 and 1980, and combined with taxes estimated for 1981, it would cost the City an estimated $2,146 out-of-pocket to acquire this property, assuming possession no later than June 30, 1981 (see attachment). I have been advised that the back taxes could be eligible as an item from the Community Development Block Grant if closing occurs after July 1, 1981 and provided the City can resolve the entire eligibility matter of the $15,000 included in the Block Grant program to the satisfaction of the U. S. Department of Housing and Urban Development (see attached letter of June 2, 1981, page 2).

In addiiton, I wish to point out that Michigan state law requires that an Act 285 Review be performed on acquisition or disposal of any publicly owned land. Since the offer of a specific property was only recently submitted by Republic Development Corporation, it has not been possible for an Act 285 Review to be initiated and submitted for consideration of the Planning Board. I would suggest that any final City Council action regarding this property be reconsidered until such time as this review can be completed. Too, the naming of parks in particular has traditionally been a matter reviewed and recommended by the Parks Board and I must suggest that the Parks Board input is appropriate in this instance.

Therefore, I again request City Council's reconsideration on its action of June 9, 1981.

Sincerely,

GERALD W. GRAVES,
Mayor.

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Referred to Committee on Public Property and Safety.

## RESOLUTIONS

By COMMITTEE ON GENERAL SERVICES—

Resolved by the City Council of the City of Lansing:

Whereas, the Annual Ethnic Festival will be held in Lansing over the Fourth of July weekend; and

Whereas, several organizations have requeted permission to serve beer and wine at this event in Riverfront Park;

Now, Therefore, Be It Resolved the City of Lansing hereby grants approval to the Federated Polish Home, the Lansing Liederkranz, the Italian American Club and the Gaelic League for the sale of beer and wine in Riverfront Park during the Ethnic Festival July 3, 4, and 5 provided all necessary administrative actions are completed without objection.

Adopted by the following vote:

Yeas: Councilmen Belen, Blair, Gunther, McKane, Worthington—5.

Nay: Councilman Brenke—1.

By COUNCILMAN BELEN—

Resolved by the City Council of the City of Lansing:

Whereas, Earl F. Brush has been employed by the Lansing Board of Water and Light since 1968 and its General Manager since 1972; and

Whereas, the Board has continue to prosper under his leadership and remains Michigan's largest municipal electric operation and has provided customers with reliable service and rates among the lowest in the nation; and

Whereas, Mr. Brush is an acknowledged leader both statewide and nationally in the field of public power and energy and he has, for the past year, served diligently and capably as president of the American Public Power Association, an organization representing 1,400 locally owned electric utility. In his role as President of the APPA, Mr. Brush continues a tradition of excellence among Board of Water and Light General Managers as this office was held by both Otto E. Eckert and Claud R. Erickson, former General Managers, of the Board of Water and Light; and

Whereas, Earl's lovely wife Dorothy has been supportive and understanding during his tenure as APPA president; now

Therefore, Be It Resolved, the City Council of the City of Lansing, Michigan, hereby acknowledges and applauds Earl Brush's achievements and the honor they bring to Lansing; and

Be It Further Resolved, the City of Lansing is both fortunate and proud to have a man of Earl F. Brush's caliber managing its public utility.

Adopted bythe following vote:

Unanimously.

By COUNCILMAN WORTHINGTON—

Resolved by the City Council of the City of Lansing:

P-8-79
Irish Gardens
Revised Final Plat

Whereas, pursuant to the Lansing Subdivision Regulations, being Chapter 37 of the Code of the City of Lansing, the City Council at their meeting of October 13, 1980 approved the final plat of Irish Gardens; and

Whereas on May 19, 1981, Arthur Irish requested a waiver of the provisions of Section 37-9 to allow only the south half (Lots 1 through 12 inclusive) of the plat of Irish Gardens to be recorded at this time; and

Whereas, the Planning Board at their meeting of June 2, 1981, recommended approval of the requested variance; and

Whereas, the Physical Development Committee of the City Council, to whom the report of the Planning Board was referred, concurs therewith;

Now, Therefore, Be It Resolved that the Council of the City of Lansing hereby approves the request of Arthur Irish to record separately Lots 1 through 12 of Irish Gardens, subject to the conditions of the previous final approval; and

Be It Further Resolved that the City Clerk be, and she is hereby, directed to notify the proprietor of this action.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON HUMAN SERVICES—

Resolved by the City Council of the City of Lansing:

Whereas, the Mayor has recommended the appointment of Mr. Jack Hands to the Tri-County Senior Citizens Consortium; and

Whereas, Mr. Hands was interviewed by the Committee on Human Services; now

Thereofer, Be It Resolved, the City Council of the City of Lansing hereby approves and confirms the appointment of Mr. Jack Hands to the Tri-County Senior Citizens

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Consortium for a term to expire June 30, 1982.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON HUMAN SERVICES—

Resolved by the City Council of the City of Lansing:

Whereas, the Mayor has recommended the reappointment of the following individuals to the City Board listed below; now

Therefore, Be It Resolved, the City Council of the City of Lansing hereby approves and confirms the reappointments of these persons for terms to expire as designated.

**Human Relations Commission—**

Terms Expires June 30, 1985
Frank J. Kelly, Jr.
Morris W. Jones

**Human Resources Advisory Board—**

Term Expires June 30, 1985
Armida Valdez

**Tri-County Senior Citizens Consortium—**

Terms Expires June 30, 1982
Elsie Sargent
Louwillie Baugus

**Senior Citizens Advisory Board—**

Terms Expire June 30, 1985
Agnes Ziegler
John Flood.

Adopted by the following vote:

Unanimously.

By COUNCILMAN McKANE—

Resolved by the City Council of the City of Lansing:

That the Committee on Ways and Means be discharged in regard to the increase in retirement benefits of non-union members of the Policemens' and Firemens' Retirement System.

Adopted bythe following vote:

Unanimously.

By COUNCILMAN McKANE—

Resolved by the City Council of the City of Lansing:

Whereas, the City of Lansing has a separate pension system for sworn Police and Fire officers; and

Whereas, all members of the system contribute the same percentage of pay to the system, and the City contributes the same percentage of pay on behalf of each member; and

Whereas, the retirement computation factor for several bargaining units covered by that system has been increased from 2 to 2.5 effective July 1, 1981 ;and

Whereas, the exempted personnel covered by that system are equal contributors,

Now, Therefore, Be It Resolved, that effective July 1, 1981, the retirement formula computation factor be increased from 2 to 2.5 for members of the Police and Fire Retirement system not covered by collective bargaining agreements.

Be It Also Resolved, that the wage increases provided by the Mayor to the individuals affected by this be considered and dealt with to assure comparability of overall compensation increases with those granted to bargaining unit members and other exempted personnel so as to avoid disproportionate compensation increases.

Adopted by the following vote:

Unanimously.

## PUBLIC IMPROVEMENT III

By COMMITTEE ON PHYSICAL DEVELOPMENT—

Resolved by the City Council of the City of Lansing:

That the special assessment roll for Storm and Sanitary Sewers:

Assessment Roll No. 282
Storm PS 74049

Property Benefited: All lands fronting on Newark Ave. from Pleasant Grove Rd. westerly to the W. property line of 3001 Newark excepting all public streets and alleys and other lands deemed not benefited.

Assessment Roll No. 282

St. and San. PS 76105

Property Benefited: All lands fronting on Curry Lane from Kaynorth St. to the west end of street, excepting all public streets and alleys and other lands deemed not benefited.

The revised estimated expense of said improvements based upon construction bids are as follows:

Project Number PS 76105

Assessment Roll No. 282

**Intersection and City Contribution**

| | |
|---|---|
| Sanitary | $ 3,353.52* |
| Stubs | 0.00 |
| Sanitary Total | $ 3,353.52 |

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| | |
|---|---|
| Storm | $ 4,055.28** |
| Total Project Cost | $ 7,408.80 |

**Assessable to Property Owners**

| | |
|---|---|
| Sanitary | $13,741.44 |
| Stubs | 1,700.00 |
| Sanitary Total | $15,441.44 |
| Storm | $27,489.60 |
| Total Project Cost | $42,931.04 |

**Total Project Cost**

| | |
|---|---|
| Sanitary | $17,094.96 |
| Stubs | 1,700.00 |
| Total Sanitary | $18,794.96 |
| Storm | $31,544.88 |
| TOTAL PROJECT COST | $50,339.84 |

*590-536-608-974
**101-936-617-973

returned by the City Assessor be received and placed on file, and the City Clerk be directed to publish a notice thereof by publication in a local newspaper five days in accordance with Section 28-17, of Chapter 28 of the Code of Ordinances.

Resolved further, that the City Council will meet at the Council Rooms on Monday, the 6th day of July, 1981, at 7:00 o'clock p.m. for the purpose of reviewing said assessment roll.

I hereby certify that funds are available and encumbered for the City of Lansing's share of said project.

All projects are a part of the Curry Lane and Other Storm and Sanitary Sewers Contract, PS 76105.

CHARLES S. REMENAR,
Deputy City Controller.

Adopted by the following vote:

Unanimously.

## ZONINGS

By COUNCILMAN WORTHINGTON—

Whereas, by petition duly filed on the 23rd day of February, 1981, this council was petitioned to change the following described property from "A" One Family Residential District to "C" Two Family Residential District all as set forth in the Zoning Code of this city, and

Whereas, due notice as required by law has been given for a public hearing on said petition, and

Whereas, at such hearing held on the 1st day of June, 1981, all parties interested therein were heard and given due consideration, and

Whereas, the property involved is described as:

Z-4-81 — Vacant land located in the 1900 Block of Willard Avenue.

More particularly described as:

Parcel No. 3301-27-428-211.

The west 90 feet of the east 217 feet of Lot 50, Goodhome Subdivision, City of Lansing, Ingham County, Michigan;

and

Parcel No. 3301-27-428-221.

The east 90 feet of the west 190 feet of Lot 50, Goodhome Subdivision, City of Lansing, Ingham County, Michigan;

from an "A" One Family Residential District to a "C" Two Family Residential District; and

Whereas the Planning Board, at their meeting of April 19, 1981, recommended approval of the petition; and

Whereas the Physical Development Committee of City Council, to whom the report of the Planning Board was referred, concurs therewith;

Now, Therefore, Be It Resolved that the Council of the City of Lansing hereby approves the petition and ordains that the zoning of the above described property be change from an "A" One Family Residential District to a "C" Two Family Residential District; and

Be It Further Resolved that the City Clerk be, and she is hereby, directed to notify the petitioner of this action.

Adopted by the following vote:

Unanimously.

By COUNCILMAN WORTHINGTON—

Whereas, by petition duly filed on the 2nd day of March, 1981, this council was petitioned to change the following described property from "C" Two Family Residential District to "H" Light Industrial District all as set forth in the Zoning Code of this city, and

Whereas, due notice as required by law has been given for a public hearing on said petition, and

Whereas, at such hearing held on the 1st day of June, 1981, all parties interested therein were heard and given due consideration, and

Whereas, the property involved is described as:

Z-6-81 — 737, 739, 741 North Larch Street; Parcel numbers: 3301-09-480-301, 311, 321.

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More particularly described as:

Lot 5 and the south 33 feet of the east 132 feet of Lot 4, Block 17, Original Plat, City of Lansing, Ingham County, Michigan,

from "C" Two Family Residential District to "H" Light Industrial District.

Whereas, pursuant to Act 207, Public Acts of 1921 as amended, the Planning Board recommended that the request be approved; and

Whereas the Physical Development Committee of City Council reviewed the report of the Planning Board and concurs therewith;

Now, Therefore, Be It Resolved that the Council of the City of Lansing ordains that the request to rezone the above described property from "C" Two Family Residential District to "H" Light Industrial District be approved; and

Be It Further Resolved that the City Clerk be, and she is hereby, directed to notify the applicant of this action.

Adopted by the following vote:

Unanimously.

By COUNCILMAN McKANE—

Resolved by the City Council of the City of Lansing:

That the balance requested or the remaining unexpended as indicated in the following accounts at June 30, 1981, be reappropriated and brought forward to indicate accounts in the 1981-82 budget year.

**Administrative Services**

| | | |
|---|---|---|
| 101-222-212-781 | Repair Parts—Fire | $29,500 max. |
| 101-265-000-931 | Project Maintenance | 6,000 |

**Fire**

| | | |
|---|---|---|
| 101-337-000-956 | Citizen Contributions | 900 |

**Parks**

| | | |
|---|---|---|
| 101-718-000-930 | Repair and Maintenance | 9,500 |

**Public Service**

| | | |
|---|---|---|
| 202-453-101-974 | Pennsylvania Underpass | 2,200 |

**Cemetery**

| | | |
|---|---|---|
| 516-537-000-740 | Burial Oper. Supplies | 1,400 |

**Safety and Workers Comp.**

| | | |
|---|---|---|
| 765-958-000-801 | Professional Services | 700 |
| 765-958-103-963 | Workers Comp. Claims | 39,400 |

**Personnel**

| | | |
|---|---|---|
| 101-226-000-821 | Arbitration Fees | 5,000 |

Adopted by the following vote:

Unanimously.

By COUNCILMAN McKANE—

Resolved by the City Council of the City of Lansing:

That the following transfers be approved:

| | | |
|---|---|---|
| $ 2,265.00 | from General Fund—Election Div.—Election Inspection Wages A/C 101-191-000-720 | |
| $ 1,480.00 | to Gen. Fund—Election Div.—Temporary Help A/C 101-191-000-707 | |
| 785.00 | to Gen. Fund—Election Div.—Overtime A/C 101-191-000-708 | |
| $ 5,000.00 | from Miscellaneous and Operating Expenses A/C 101-226-000-741 | |
| $ 5,000.00 | to Arbitration Fees A/C 101-226-000-821 | |
| $14,000.00 | from Police Helicopter Fuel A/C 101-316-023-751 | |
| 3,900.00 | from Police Central Records Repairs and Maintenance A/C 101-308-000-930 | |
| $17,900.00 | to Police Central Records Equipment A/C 101-308-000-977 | |
| $ 510.00 | from Police—Investigations Operation Supplies A/C 101-310-000-740 | |
| $ 510.00 | to Police—Investigations—Equipment A/C 101-310-000-977 | |
| $ 7,000.00 | from Washington Park Paving A/C 101-936-720-974 | |
| $ 7,000.00 | to Repair and Maintenance A/C 101-718-000-931 | |
| $ 400.00 | from Equip. Maint.—Other Operations—Flood Control A/C 101-445-017-933 | |
| 1,000.00 | from Utilities—Public Works—Field Operations A/C 101-442-000-920 | |
| $ 1,400.00 | to Equip. Rental—Other Operations—Flood Control A/C 101-445-017-943 | |
| $30,345.96 | from Youth Development Corp. A/C 101-934-092-969 | |

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$30,345.96 to Unprogrammed Match
A/C 101-934-095-969

$ 5,900.00 from Cemetery—Grounds Operations—Wages—Hourly
A/C 516-538-000-706

$ 3,400.00 to Hourly Overtime—Burial
A/C 516-537-000-709

2,500.00 to Hourly Overtime—Grounds
A/C 516-538-000-709

$25,532.90 from Retained Earnings
A/C 590-000-000-395

$25,532.90 to Pumping Stations
A/C 590-536-722-974

$ 600.00 from District Court Repair and Maintenance
A/C 760-136-000-930

$ 600.00 to District Court Library
A/C 760-136-000-980

$ 7,500.00 from Insurance
A/C 765-958-000-910

1,800.00 from Professional Services
A/C 765-958-000-801

$ 9,300.00 to Worker's Comp. Fund—Medical Services—Police Dept.
A/C 765-958-002-823

I hereby certify that this is a properly drawn and eligible transfer.

JAMES W. DOWSETT,
Finance Director.

The following vote was taken on the transfer of funds with the deletion of the transfers for $17,900.00 and $7,000.00 which were referred back to the Committee on Ways and Means.

Adopted by the following vote:

Unanimously.

By COUNCILMAN GUNTHER—

Resolved by the City Council of the City of Lansing:

That Councilmen Adado and Lindemann be excused from the session.

Carried.

## REMARKS BY THE MAYOR OR HIS EXECUTIVE ASSISTANT

No remarks.

## REMARKS BY THE COUNCIL SUSPENSION OF RULES

By COUNCILMAN BELEN—

Resolved by the City Council of the City of Lansing:

That the rules of the Council be waived for the purpose of presenting items that are not listed on the agenda.

Carried.

Request from Downtown Coaches Club for 24-hour liquor permit for June 26, 1981 to be able to serve beer/wine at the sidewalk sale and art festival.

By COUNCILMAN GUNTHER—

That the request be approved and the special permit be obtained from the Michigan Liquor Control Commission.

Carried.

Request from Lansing-Lewis Company requesting permission to alter existing building at 636 East Michigan Avenue.

Referred to Committee on Physical Development.

By COUNCILMAN BELEN—

Resolved by the City Council of the City of Lansing:

Whereas, the Lerum Chamber Orchestra of Lerum, Sweden, is touring the United States during the summer of 1981 under the auspices of the Blue Lake Fine Arts Camp International Program; and

Whereas, the Lerum Chamber Orchestra, composed of eighteen string players under the direction of Conductor Howard Lincke, visited the City of Lansing from June 17 to June 20, 1981; and

Whereas, the members of the Lerum Chamber Orchestra visited homes of Lansing area citizens and offered an outstanding musical program as part of their desire to use the international language of music to further international understanding and goodwill; now

Therefore, Be It Resolved by the City Council of the City of Lansing that the Lerum Chamber Orchestra be highly commended for their outstanding contributions to the fine arts and the goals of international friendship and understanding; and

Be It Further Resolved that the day of Thursday, June 18, 1981, be named:

LERUM CHAMBER ORCHESTRA DAY IN LANSING

in recognition of their uniquely superior contributions to the fine arts and international understanding and goodwill; and

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Be It Finally Resolved that a copy of this resolution be presented to the Lerum Chamber Orchestra as evidence of the high regard in which they are held by the people of the City of Lansing.

Adopted by the following vote:

Unanimously.

By COUNCILMAN BELEN—

Resolved by the City Council of the City of Lansing:

Whereas, the City of Lansing has participated in the Blue Lake Fine Arts Camp International Program since 1976 through the co-sponsorship of hosting visiting European and Asian youth musical groups visiting the City of Lansing; and

Whereas, four different youth musical groups from Europe will be visiting Lansing during the summer of 1981:

June 17-20: Lerum Chamber Orchestra, Lerum, Sweden

July 18-21: Collegium Musicum Instrumentale, Giessen, Germany

July 20-22: Derlinzer Madchenchor, Linz, Austria

Ofsanbruck Youth Symphony, Ofsanbruck, Germany

and;

Whereas, Robert and Brenda Hull have agreed to again Chair the local committee to make arrangements for the visits in Lansing; now

Therefore, Be It Resolved that the City of Lansing will again co-sponsor the visits of the four above European youth musical groups which are a part of the Blue Lake Fine Arts Camp International Exchange Program.

Adopted by the following vote:

Unanimously.

Mrs. Hallman, 1014 W. Lapeer, spoke relative to fencing on property in rear of her property that was passed in May, 1961, p. 414.

Richard Baker, 1004 W. Lapeer, spoke relative house at 926 W. Lapeer St. that is in violation of zoning.

By COUNCILMAN BLAIR—

That this meeting stand adjourned.

Carried.

Council adjourned at 9:10 p.m.

THEO FULTON,
City Clerk.

Lansing, Michigan

June 15, 1981

F/B

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CITY CLERK'S OFFICE
Room 921, City Hall
Lansing, Michigan 48933

Address Correction Requested

BULK RATE
U. S. POSTAGE
PAID
Permit No. 1461
Lansing, Michigan



# OFFICIAL PROCEEDINGS OF
# THE CITY COUNCIL
## OF THE CITY OF LANSING

## Proceedings, June 22, 1981

CITY COUNCIL ROOMS
Lansing, Michigan
June 22, 1981

The City Council of the City of Lansing, Michigan, met in regular session and was called to order by Vice President Jack Gunther.

Present: Councilmen Adado, Blair, Brenke, Gunther, Lindemann, McKane, Warthington—7.

Absent: Councilman Belen.—1.

The Clerk announced that a quorum of the Council was present.

Invocation was given by Councilman McKane.

Pledge of Allegiance was led by Councilman McKane.

By COUNCILMAN McKANE—

Resolved by the City Council of the City of Lansing:

That the rules of the Council be waived for the purpose of presenting the following resolution.

Carried.

By COMMITTEE OF THE WHOLE—

Resolved by the City Council of the City of Lansing:

Whereas, Continental Cablevision of Lansing was recently recognized by the National Cable Television Association with the coveted "ACE" award for overall excellence in community programming; and

Whereas, this award represents the American cable industry's highest honor given to a company for its locally-produced television programs; and

Whereas, Continental Cablevision of Lansing has been a welcome addition to the Lansing business community, investing more than $10 million since 1974 to build their cable operation, employing more than 80 people in the Lansing area, providing service to over 36,000 subscribers, and pay-

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ing a franchise fee to the City of nearly $37,000 per year; and

Whereas, the cable services offered by Continental, including a unique interconnect with the East Lansing system, movie channels, "superstations," and a variety of local access channels, make the Lansing system one of the most progressive and responsive in the country today;

Now, Therefore, Be It Resolved the Lansing City Council, sitting in regular session this 22nd day of June, 1981, does hereby congratulate the management and employees of Continental Cablevision of Lansing on winning the highest national award for community programming; and

Be It Further Resolved Continental Cablevision of Lansing is hereby commended for being one of the most active, competent, and responsible cable service providers in the country.

Adopted by the following vote:

Unanimously.

Representatives from the Continental Cablevision presented the City Council with a plaque, and also commended Ron Onufer for help he has given them on Channel 28.

## PUBLIC HEARING

June 22, 1981, at 7:00 o'clock being the time set as the time for holding a public hearing on the proposed ordinance amending Chapter 27 of the Code by adding a new Section 59 for the purpose of updating the license requirements for drain and sewer layers and sewer cleaners to comply with state and federal law.

The Council Vice President announced that if there was anyone present who had any suggestions or objections to make to the proposed ordinance they had the privilege of speaking at this time.

Referred to Committee on General Services.

**THE PUBLIC MAY NOW ADDRESS THE CITY COUNCIL ON ANY OF THE FOLLOWING ITEMS LISTED ON THE AGENDA: COMMUNICATIONS AND PETITIONS, COMMITTEE REPORTS, REPORTS OF CITY OFFICERS AND BOARDS, AND RESOLUTIONS. YOU MAY SPEAK ONLY FOR 3 MINUTES ON ANY ONE ITEM.**

Resolution No. 1B was removed from the agenda.

The following persons spoke in regard to the proposed Aurelius Road Landfill Sports Complex.

Don Little, 3528 Sandhurst Dr.

Harry Tift, 4643 Laurie Lane.

Douglas McGinnis, Co-Chairman of the Aurelius Rd. Landfill Committee.

Ann Alchin, spoke and presented letter.

Councilman Adado and Brenke made remarks in regard to same.

## COMMUNICATIONS AND PETITIONS

The following applications and bonds have been filed for licenses:

CABARET —

Starr's Black and Tan, Mac's time Machine, Trammpp's Disco, Harley House of Lansing.

TRANSIENT TRADESMAN —

Continental Industries.

AUCTIONEER —

Merle Lemon.

AUTO WRECKERS —

John's Mobil Station and Haslett Towing.

Referred to Committee on General Services.

Claim filed by H. James Starr, Attorney, representing Roland Starr, requesting reimbursement of money spent for the unplugging of a drain in Washtenaw St.

Refered to Mayor, City Attorney.

Petition filed for rezoning:

Z-25-81 —

Beginning 183 feet North and 33 feet East of the Southwest corner of Section 5, thence North 60 feet, thence South 89°30' East 182.4 feet, thence South 43°3. 32.8 feet to a point, 239.4 feet East and 2221 feet North of Southwest corner, thence South 38 feet, thence West 206.4 feet to beginning, City of Lansing, Ingham County, Michigan, from "A" One Family Residential District to "D-1" Professional Office District (6000 block Grovenburg Rd.).

Referred to Mayor, Planning Board.

Petition filed requesting the installation of mercury lights in the alley between the 1600-1700 blocks of Massachusetts Ave. and New York Avenue.

Referred to Mayor, Board of Water and Light.

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Letter from Lansing Regional Chamber of Commerce informing of plans to hold the annual sidewalk sales on June 25, 26, 27, 1981 to coincide with the Downtown Art Festival.

Received and placed on file.

Request from Bonnie Leisenring—Cook Book Committee Chairman, requesting permission to sell cook books on June 26, 27, 28, 1981, during Art Fair, on behalf of the Lansing 300 Blind Bowling League.

By COUNCILMAN ADADO—

That permission be granted.

Carried.

Letters from the Michigan Municipal League in regard to:

Michigan hosting the 57th National League of Cities Congress to be held in Detroit, November 28, December 2, 1981.

Submitting a brochure in regard to above meeting.

Submitting a survey in regard to intergovernmental public safety service agreements.

Referred to Mayor, all Council Members.

Request from Carl K. Bjork, Jr., of Marcelino's Pizza-Bagel Shop to place a concession truck in downtown area.

Referred to Mayor.

Letter from the Aurelius Landfill Committee in regard to the proposed sports complex development on the Aurelius Rd. Landfill Site.

Referred to Mayor.

Letter from the Citizens' District Council No. 3 on acquisition of properties in the 1400-1500 blocks of Ballard St.

Referred to Mayor, Committee on Public Properties and Safety.

Application for a Commercial Redevelopment District submitted by Jerry M. Zimmerman for property at 109 E. Hillsdale St.

Referred to Mayor, Economic Development Corporation, Committee on Economic Development.

Letter from Citizens District Council No. 1 in regard to property at 1234 W. Allegan Street.

Referred to Mayor.

Petition for special relief filed before the Federal Communications Commission by Continental Cablevision of Michigan, Inc., for waiver of the Aeronautical Frequency off-set and usage regulations.

Received and placed on file.

Notice of hearing before the State of Michigan — Public Service Commission in the matter of the implementation of the CPI rate adjustment plan as authorized by the Commission in its opinion and order—Michigan Bell Telephone Co.

Received and placed on file.

## MAYOR'S EXECUTIVE ASSISTANT COMMENTS ON ANY ITEM ON THE AGENDA

No comment.

## REPORTS OF COMMITTEES

The COMMITTEE ON GENERAL SERVICES approves the following applications and bonds for licenses:

CABARET —

Starr's Black and Tan, Mac's Time Machine, Trammpp's Disco, Harley House of Lansing.

TRANSIENT TRADESMAN —

Continental Industries.

AUCTIONEER —

Merle Lemon.

AUTO WRECKERS —

John's Mobile and Haslett Towing.

Signed:

WILLIAM A. BRENKE,
PAT LINDEMANN,
TERRY J. McKANE,
Committee on General Services.

By COUNCILMAN BRENKE—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

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The COMMITTEE ON PHYSICAL DEVELOPMENT, to whom was referred the ordinance of the City of Lansing providing that Chapter 36 of the Code be amended by revising subsections 36-104.3 and 36-104.4 and by adding subsections to be numbered 36-104.5 and 36-104.6 to create the positions of alternates, provide for the filling of vacancies in elected positions on the Citizens District Council in NDA No. 2 and provide for the holding of special elections, reports as follows:

That said ordinance be passed.

Signed:

SIDNEY P. WORTHINGTON,
WILLIAM A. BRENKE,
Committee on Physical Development.

By COUNCILMAN WORTHINGTON—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

The COMMITTEE ON PHYSICAL DEVELOPMENT, to whom was referred the ordinance of the City of Lansing providing that Chapter 36 of the Code be amended by revising Subsection 36-139.5 to create the positions of alternate, provide for the filling of vacancies in elected positions on the Citizens District Council in NDA No. 4 and provide for the holding of special elections, reports as follows:

That said ordinance be approved.

Signed:

SIDNEY P. WORTHINGTON,
WILLIAM A. BRENKE,
Committee on Physical Development.

By COUNCILMAN WORTHINGTON—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

## REPORTS OF CITY OFFICERS AND BOARDS

June 16, 1981

President Lucile Belen and Members of the Lansing City Council

Re: Claim of Gary and Susan Bogart in the amount of $229.56.

Dear President Belen and Councilmembers:

Claimants have filed a claim against the City of Lansing requesting reimbursement of $229.56 paid by them in order to pay the storm sewer special assessment made against property owned by the claimants and located at 1010 McCullough Street.

The facts indicate that on February 23, 1977, claimants signed an "Offer to Purchase" the real property located at 1010 McCullough Street by the City of Lansing. Paragraph 7 of the signed "Offer to Purchase" states that:

> "Seller will pay any expenses incurred to clear title to the property and will pay the cost of the documentary stamps for the deed."

Claimants were unable to furnish clear title to the City until July, 1977. In May, 1977, a special assessment for storm sewer improvements in NDA-2 was levied by Lansing City Council, in accordance with the provisions of Chapter 28 of the Lansing Code of Ordinances. On August 31, 1977, claimants conveyed title to the City by Warranty Deed. At the time of the closing, claimants signed a closing statement that clearly showed that the special assessment for sewer improvements in the amount of $229.56 was being paid by a deduction from the cash proceeds paid by the City to the claimants for the property. Above the claimants' signature on the closing statement is the following paragraph:

> "We have examined the above statement and find it **correct.** This acknowledges that the above total sum has been disbursed as **shown above with our approval** and for our account and benefit in connection with this transaction." (Emphasis supplied).

Based upon the above-stated facts, it is the opinion of this office that the City of Lansing has no legal liability to reimburse the claimants for the money spent by them in order to pay the storm sewer special assessment and deliver clear title to the City of Lansing as they had agreed to do and therefore, the claim should be denied.

Respectfully submitted,

STEPHEN R. SAWYER,
City Attorney.

By COUNCILMAN ADADO—

That we concur in the recommendation of the City Attorney and said claim be denied.

Carried.

June 18, 1981

President Lucile Belen and Members of City Council

Re: Workers Compensation Redemption—Robert Goodsell

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Dear President Belen and
Members of City Council:

In accordance with Article 4, Section 4-304.7 of the Lansing City Charter this office presents its recommendation regarding settlement of the above captioned matter by redeeming the City's liability for the sum of Twenty Five Thousand Dollars ($25,000.00).

On October 18, 1977 Mr. Goodsell, while working for Vector Control, sustained serious back injuries in an automobile accident. Subsequent thereto Mr. Goodsell was able to work on a periodic part time basis whenever his back permitted him to do so. His position was eliminated July 1, 1980 as a result of budget cutbacks. The City continues to voluntarily pay Mr. Goodsell his weekly workers disability compensation benefits in the amount of $132.00. As of June 6, 1981 Mr. Goodsell received $20,409.82.

As a result of his accident Mr. Goodsell has treated with several physicians including orthopedic and psychiatric specialists. All concurred that Mr. Goodsell suffered and continues to suffer physically and emotionally as a result of the automobile accident and in all probability would not be able to return to the type of employment he was previously employed in by the City of Lansing.

Mr. Goodsell is presently fifty years old and can expect to draw workers disability compensation at the weekly rate of $132.00 (unless modified by legislation) until he reaches the age of sixty-five. Once he reaches the age of sixty-five his annual benefits will be reduced by 5% each year thereafter. Assuming his current status remains constant for the next ffiteen years and Mr. Goodsell continues to be disabled as a result of the accident, the City of Lansing will be obligated to pay $102,960.00.

This office also wishes to point out that Mr. Goodsell received a duty disability pension retirement in December of 1980. However, the amount of his pension does not affect the amount of weekly benefits he is entitled to under the Act. Mr. Goodsell will continue to receive whatever medical assistance he needs as a rseult of his disability retirement through the proceeds of that system. Currently Mr. Goodsell periodically treats with Dr. Murray Vinnick, a Lansing chiropractor.

Although the redemption figure of Twenty-five Thousand Dollars represents a significant amount in view of previous redemptions presented for your consideration, it is the recommendation of this office that this redemption be approved as being in the best interest of the City's long range financial obligations to Mr. Goodsell.

Respectfully submitted,

STEPHEN R. SAWYER,
City Attorney.

By COUNCILMAN ADADO—

That we concur in the recommendation of the City Attorney.

Carried.

DATE: June 16, 1981

TO: Council President Lucile Belen,
Mayor Gerald Graves and
City Clerk Theo Fulton

FROM: Edward J. Piloske,
Principal Internal Auditor

SUBJECT: CETA Interim Monitoring Audit for six FY 1980-81 Capital Area Community Services Subgrants

In accordance with Section 3-402.3 of the City Charter, the Office of Internal Audit submits the following Interim Monitoring Audit report of Capital Area Community Services, FY 1980-81 CETA contracts subgranted by the City of Lansing. The contracts audited are:

1) CETA, Title II (Job Club)
contract period October 1, 1980 thru June 30, 1981

2) CETA Title VI (regular)
contract period February 1, 1981 thru April 1, 1981

3) CETA Title VI Work Project "Home Weatherization"
contract period October 1, 1980 thru April 1, 1981

4) CETA Title VI Work Project "Senior Home Companion" (incorporating Phase I with the original contract)
contract period October 1, 1980 thru January 31, 1981

5) CETA Title II "Senior Home Companion"
contract period February 1, 1981 thru June 30, 1981

6) CACS segment of the Administrative Cost Pool
contract period October 1, 1980 thru June 30, 1981.

This subagent had total CETA funds subgranted to it of $358,547 and filled 73 participant slots as of the March 31, 1981 cutoff date of this audit. All objectives of the Title VI Work Project contracts were met by the agency.

A response will be required on the programmatic recommendation issued for the "Home Weatherization" subgrant (page 9) as a contract modification action is required by the Administration. All other matters of this report substantially constitute a positive opinion and a response from the Administration on them is optional.

Referred to Mayor.

DATE: 6/12/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Public Service Di-

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rector. Re: Trash in R-O-W Removal Assessment for December 1981 Tax Roll (V-3).

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

By COUNCILMAN LINDEMANN—

That we concur in the recommendation of the Mayor and said assessment be placed on the tax roll.

Carried.

DATE: 6/16/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Dir., Bldg. Safety and Development. Re: Trash Removal Assessment.

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

By COUNCILMAN LINDEMANN—

That we concur in the recommendation of the Mayor and said trash removal be placed on the assessment roll.

Carried.

DATE: 6/16/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Dir., Bldg. Safety and Development. Re: Request for setting Public Hearing for structure at 1705 Martin St.

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

By COUNCILMAN LINDEMANN—

That we concur in the recommendation of the Mayor and said public hearing be set for July 13, 1981.

Carried.

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Deputy Controller, C. Remenar. Re: Financial Security, Sunset Hills No. 10.

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

By COUNCILMAN LINDEMANN—

That we concur in the recommendation of the Mayor and said financial security be released.

Carried.

DATE: 6/18/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Submission of attached correspondence from the Mayor's Economic Development Advisory Group, A. Tubbs. Re: Memo/Dart Medical, Inc., Tax abatement/Alaidon Township.

The attached correspondence is submitted for your information.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Economic Development.

DATE: 6/18/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Mayor's Economic Development Advisory Group, A. Tubbs. Re: Memo/Jackson National Life EDC request.

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Economic Development.

DATE: 6:18:81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Mayor's Economic Development Advisory Group, A. Tubbs. Re: Quality Dairy request for establishment of Commercial Redevelopment District.

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The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Economic Development.

DATE: 6/18/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Attached correspondence from the Planning Board, A. Tubbs. Re: Letter re: Housing Assistance Plan.

The attached correspondence is forwarded for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Physical Development.

## RESOLUTIONS

By COUNCILMAN BRENKE—

Resolved by the City Council of the City of Lansing:

That the request of G.L.O., Inc., for a new entertainment permit to be held in conjunction with 1980 Class "C" license with dance permit at 4924 S. Logan St. be approved having received the signatures of all the required departments. And that notification of this approval be sent to the Michigan Liquor Control Commission.

Adopted by the following vote:

Unanimously.

By COUNCILMAN McKANE—

Resolved by the City Council of the City of Lansing:

That the Committee on General Services be discharged of the referral of the transfer of ownership of a 1981 B-Hotel licensed business with Dance Permit located at 3121 E. Grand River Avenue.

Adopted by the following vote:

Unanimously.

By COUNCILMEN McKANE, BRENKE & LINDEMANN—

Resolved by the City Council of the City of Lansing:

That the request of "3121 East, Inc.," for transfer of ownership of a 1981 B-Hotel licensed business with Dance Permit, located at 3121 E. Grand River Avenue, Lansing, from "SUA, Inc.," is hereby approved since the requestor has obtained all required departmental approvals.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PUBLIC PROPERTIES AND SAFETY—

Resolved by the City Council of the City of Lansing:

Whereas, June Manning Thomas has found it necessary to resign from the Waterfront Development Board; and

Whereas, Mayor Graves has submitted the name of James L. Winckler to fill said vacancy; now

Therefore, Be It Resolved, the City Council of the City of Lansing hereby approves and confirms James L. Winckler to the Waterfront Development Board for a term that expires in June of 1983.

Adopted by the following vote:

Unanimously.

By PUBLIC PROPERTIES & SAFETY—

Resolved by the City Council of the City of Lansing:

ACT-5-81

Whereas, residents' complaints about heavy traffic volumes have resulted in a proposal to close Lowcroft Street between Pierce and Cavanaugh Roads; and

Whereas, traffic studies have substantiated residents' reports of increasing non-local traffic proceeding through the area; and

Whereas, the Planning Board reviewed the proposal to close Lowcroft, and has recommended a specific course of action involving a trial period;

Now, Therefore Be It Resolved, the Lansing City Council hereby approves the Planning Board's recommendations, specified as follows:

1. The Mayor is requested to direct the Traffic Engineer to conduct traffic counts and studies at various locations in and around Lowcroft Street immediately.

2. Once studies are completed, block off the street at Pierce/Lowcroft and Cavanough/Lowcroft as proposed for 180-day period. Follow up with additional counts and studies.

3. Include counts on Stafford and Stabler Streets to determine the effect of the closing in this area .

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4. Use the data gathered from this expreiment to evaluate the effect on non-local and local traffic in the area.

5. Recommend a final course of action based on the additional information.

Adopted by the following vote:

Yeas: Councilmen Adado, Gunther, Lindemann, McKane, Worthington—5.

Nays: Councilmen Blair, Brenke—2.

By COMMITTEE ON PUBLIC PROPERTIES AND SAFETY—

Resolved by the City Council of the City of Lansing:

Whereas, resident of Harris Street have requested action to improve traffic conditions in their area due to heavy truck traffic servicing Friedland Iron and Metal Company; and

Whereas, the management at Friedland's has been cooperative in seeking short- and long-term solutions to Harris Street traffic problems; and

Whereas, one short term measure to improve conditions, suggested by the Transportation Advisory Committee, is to pave the east end of Harris Street to Friedland's gate, which can be done once the City-owned roadway is dedicated as a public street; and

Whereas, the easterly 50 feet of roadway is owned by Friedland's, which will pave this section at company expense;

Now, Therefore, Be It Resolved the Lansing City Council hereby dedicates the following described property as Harris Street:

The extension of Harris Street commencing at the norhteast corner of Lot 82, Banghart Subdivision No. 1, hence east 50 feet, hence north 54 feet, hence west 50 feet, hence south 54 feet to point of beginning, City of Lansing, Ingham County, Michigan,

And

Be It Further Resolved the City Clerk is hereby authorized and requested to have this dedication recorded as required; and

Be It Finally Resolved the Committee on Physical Development will continue to investigate long-term solutions to truck traffic on Harris Street, for a subsequent report to Council and the Mayor.

Adopted by the following vote:

Unanimously.

By PUBLIC PROPERTIES & SAFETY—

Resolved by the City Council of the City of Lansing:

Whereas, by resolution approved December 10, 1979, the City Council adopted a comprehensive parkland policy, part of which requested a classification of existing City properties designated as parkland; and

Whereas, the Parks and Recreation Department has prepared such classification report, listing designated parkland as either neighborhood parks, community parks, city-wide parks, or special use parks; and

Whereas, the Parks Board has reviewed and approved the classification listing;

Now, Therefore, Be It Resolved the Lansing City Council hereby approves and adopts the "Designation of Park Land" classification report as attached.

Adopted by the following vote:

Unanimously.

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## DESIGNATION OF PARK LAND

Designations are based primarily on who uses the park with size and location additional factors.

| | |
|---|---|
| N.P. | Neighborhood Playground |
| C. | Community Park & Athletic Field |
| C.W. | City Wide Facility |
| * | Special Use in Addition to Basic Designation |

Each designation includes uses that are appropriate to the lower intense classifications (Example: Community Parks include Neighborhood Usage).

| PARK AREAS DESIGNATED BY EITHER DEED, COUNCIL RESOLUTION OR ACTUAL DEVELOPMENT. SUBJECT TO CITY CHARTER AND DEC. 12, 1979 POLICY ACTION ON DEVELOPMENT, ENCROACHMENT AND DISPOSAL. | Year Acquired | Number of Acres | Designation |
|---|---|---|---|
| Attwood Park | 1962 | 28.8 | C. |
| Averill Park | 1961 | 8.0 | N.P. |
| Bancroft Park | 1920 | 42.4 | C. |
| Bassett Park | 1940 | 3.4 | N.P. |
| Beck Park | 1977 | 10.0 | N.P. |
| Bluebell Park | 1970 | 2.7 | N.P. |
| Burchard Park (inc. Chadwell addition) | 1975, 1980 | 5.0 | C.W. |
| Cavanaugh Park | 1958 | 25.0 | C. |

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| | Year Acquired | Number of Acres | Designation |
|---|---|---|---|
| Clifford Park | 1920 | 5.4 | N.P. |
| Cooley Gardens | 1938 | 1.4 | C.W |
| Davis Park | 1970 | 41.8 | C.W. |
| Dietrich Park | 1970 | 5.0 | C.W. |
| Dodge Park (inc. Opper addition) | 1974, 1981 | 10.7 | C.W. |
| Dunnebacke Park | 1954 | 6.4 | N.P. |
| Durant Park | 1920 | 3.0 | C.* |
| Edmore Park | 1940 | 0.4 | N.P. |
| Elm Park | 1936 | 5.6 | C. |
| Elmhurst Park | 1957 | 5.3 | N.P. |
| Everett Field | 1964 | 3.0 | C. |
| Fenner Arboretum | 1954 | 120.0 | C.W. |
| Filley Park | 1940 | 2.2 | N.P. |
| Forest View Park | 1975 | 8.1 | N.P. |
| Foster Community Center | 1979 | 2.3 | C. |
| Foster Park | 1919 | 4.0 | N.P. |
| Frances Park | 1918 | 57.8 | C.W. |
| Georgetown Park | 1970 | 11.2 | N.P. |
| Gier Park and Center | 1945 | 37.2 | C.W. |
| Glen Eden Park | 1974 | 2.5 | N.P. |
| Grand River Park | 1927 | 41.6 | C.W. |
| Grand River School Park | 1979 | 2.5 | N.P. |
| Grand Woods Park | 1924 | 139.3 | C.W. |
| Greencroft Park | 1925 | 1.5 | N.P.* |
| Hillborn Park | 1969 | 6.2 | N.P. |
| Hillsdale | 1978 | 3.2 | N.P. |
| Hull Court | 1940 | 1.3 | N.P. |
| Hunter Park | 1940 | 14.0 | C. |
| Ingham Park | 1959 | 11.8 | N.P. |
| Irving Park | 1940 | 0.4 | N.P.* |
| Jones Lake Park | 1966 | 1.8 | N.P. |
| Kalamazoo Plaza | 1923 | 0.4 | C. * |
| Kendon Park | 1957 | 5.6 | C. |
| Kimberly Park | 1969 | 19.5 | N.P. |
| Kingsley Community Center | 1974 | 4.6 | C. |
| Larch Park | 1940 | 0.5 | N.P. |
| Lewton Park | 1957 | 1.7 | N.P. |
| Lyons Park | 1951 | 5.0 | N.P. |
| Maple Grove Hall | 1965 | 4.0 | C. |
| Marscot Park | 1975 | 5.0 | N.P. |
| Marshall Field | 1940 | 11.4 | C. |
| McKinch Park | 1971 | 5.5 | N.P. |
| Michigan Avenue Park | 1939 | 28.1 | C.W. |
| Miller Road Center | 1942 | 0.3 | C. |
| Moores Park (inc. Glenn Island) | 1908, 1912 | 22.9 | C. |
| Municipal Field | 1947 | 6.7 | C.W. |
| Munn Park | 1970 | 14.4 | N.P. |
| Oak Park | 1852 | 16.7 | N.P. |
| Ormand Park | 1931 | 8.2 | N.P. |
| Osborn Park | 1940 | 0.6 | N.P. |
| Pleasant View Park | 1959 | 7.4 | C. |
| Porter Park | 1939 | 10.7 | N.P. |
| Potter Park | 1917 | 98.5 | C.W. |
| Poxson Park | 1949 | 16.7 | N.P. |
| Quentin Park | 1938 | 10.3 | C. |
| Ranney Park | 1917 | 19.1 | C.W. |
| Reasoner Park | 1913 | 6.6 | N.P. |
| Red Cedar Golf Course | 1926 | 61.3 | C.W. |
| Regent Park | 1940 | 2.5 | N.P. |
| Reola Park | 1919 | 0.6 | N.P. |
| Reutter Park | 1878 | 3.0 | C. * |
| Risdale Park | 1967 | 17.6 | N.P. |
| Riverfront Park | 1973 | 20.9 | C.W. |
| Riverside Park | 1918 | 7.3 | N.P.* |
| Riverstreet Park | 1947 | 4.7 | N.P. |
| St. Joseph Park | 1945 | 18.8 | C. |
| Scott Park and Center | 1929 | 5.5 | C.W. |
| Scott Woods | 1957 | 87.4 | C.W. |
| Seventh Park | 1954 | 1.6 | N.P. |
| Sheffield Park | 1967 | 26.3 | C. |
| Shubel Park | 1924 | 55.5 | C.W.* |
| Stabler Park | 1940 | 1.3 | N.P. |
| Stroud Park | 1950 | 0.8 | N.P. |

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| | Year Acquired | Number of Acres | Designation |
|---|---|---|---|
| Sycamore Park | 1924 | 10.0 | C. |
| Sycamore Golf Course | 1919 | 53.2 | C.W. |
| Tammany Park | 1974 | 1.6 | N.P. |
| Tecumseh Park | 1950 | 39.0 | N.P. |
| Trager Park | 1928 | 0.6 | N.P.* |
| Turner Park | 1976 | 0.04 | N.P.* |
| Wainwright Park | 1962 | 5.4 | N.P. |
| Waldo Park | 1949 | 0.5 | N.P. |
| Walsh Park | 1953 | 4.0 | N.P. |
| Washington Park | 1942 | 45.4 | C.W. |
| Waverly Golf Course | 1939 | 87.8 | C.W. |
| Wentworth Park | 1972 | 0.9 | C. * |
| Westside Park | 1940 | 15.5 | C. |
| Wilson Park | 1969 | 4.9 | N.P. |
| Woodcreek Park | 1966 | 4.4 | N.P. |
| TOTAL ACREAGE 96 PARKS | | 1598.24 | |

AREAS ACQUIRED FOR PARK LAND BUT UNDEVELOPED. THE PROPERTIES ARE SUBJECT TO PROVISIONS OF THE CITY CHARTER AND DEC. 12, 1979 POLICY ACTION ON DEVELOPMENT, ENCROACHMENT AND DISPOSAL.

| | Year Acquired | Number of Acres |
|---|---|---|
| Crego Park | 1969 | 200.7 |
| Fine Park | 1979 | 35.8 |
| Holly Park | 1978 | 5.0 |
| Priggooris Park | 1959 | 263.0 |
| Willoughby Park | 1964 | 50.0 |
| TOTAL ACRES 5 PARKS | | 554.5 |

AREAS UNDER LEASE TO THE CITY OF LANSING.

| | Number of Acres | Designation |
|---|---|---|
| Comstock Park | 8.2 | C |
| Fairview Park | 12.2 | N.P. |
| Ferris Park | 3.0 | N.P. |
| Groesbeck Golf Course | 115.6 | C.W. |
| 119th Armory Park | 6.8 | N.P. |
| TOTAL ACREAGE 5 PARKS | 145.8 | |

PROPERTY ACQUIRED FOR FUTURE PARK PURPOSES ALTHOUGH SPECIFIC LOCATION AND CHARACTER NOT DEFINED. PARCELS NOT SUBJECT TO THE DISPOSAL PROVISIONS OF CITY CHARTER, UNLESS THEY ARE WATERFRONT, BUT SUBJECT TO DEC. 12, 1979 POLICY ACTION WITH REGARD TO DISPOSAL OF LAND UNSUITABLE FOR PARK DEVELOPMENT.

| | Year Acquired | Number of Acres |
|---|---|---|
| Foster Street Lots | 1949 | 1.4 |
| Kahres Property | 1962 | 4.0 |
| Highway Parcel B | 1968 | 12.1 |
| Highway Parcel C | 1968 | 44.0 |
| Highway Parcel D | 1968 | 39.0 |
| Highway Parcel E | 1968 | 33.0 |
| Highway Parcel F | 1968 | 13.0 |
| Highway Parcel G | 1968 | 9.0 |
| Mifflin Property | 1940 | 1.2 |
| Paulson Park | 1958 | 22.0 |

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By PUBLIC PROPERTIES & SAFETY—

Resolved by the City Council of the City of Lansing:

Whereas, the Mayor has forwarded a request from the Director of Building Safety and Development establish a public hearing date of July 13, 1981, on a proposed order to demolish or make safe the structure at 1000 Shepard Street;

Now, Therefore, Be It Resolved, the Lansing City Council hereby requests the City Clerk to schedule and announce a public hearing before the City Council on July 13, 1981, at 7:00 p.m., in the 10th floor Chambers of City Hall, for the purpose of receiving citizen comment on the proposed order to demolish or make safe the structure at 1000 Shepard Street; and

Be It Further Resolved this matter is hereby referred to the Committee on General Services for subsequent action.

Adopted by the following vote:

Unanimously.

By PUBLIC PROPERTIES & SAFETY—

Resolved by the City Council of the City of Lansing:

Whereas, the Planning Board has reviewed a proposal to sell City-owned property located south of Greenlawn Avenue and east of Cedar Street, such property being a strip 20 feet wide and 230 feet long, originally purchased for use as an alley, but no longer needed for that use; and

Whereas, the Planning Board has approved the sale subject to conditions set forth below;

Now, Therefore, Be It Resolved the Lansing City Council hereby approves the sale of city-owned property legally described as:

the east 20 feet of Lot 171, 172, 173 and 174, also the east 20 feet of the west 120 feet of Lot 175, South Parkwood Subdivision, City of Lansing, Ingham County, Michigan,

to interested adjacent property owners at a cost of $1.00 per front foot plus closing costs, if any, subject to reservation of easement rights for overhead electric lines; and

Be It Further Resolved the City shall initiate a petition to rezone this property to "J" Parking District as a condition of the sale.

Adopted by the following vote:

Unanimously.

By COUNCILMAN McKANE—

That resolution No. 6 in regard to designating the Bank of Lansing as the depository of city funds for the "Treasurer's Refund" bank account be referred to the Committee on Ways and Means.

Carried.

By WAYS AND MEANS COMMITTEE—

Resolved by the City Council of the City of Lansing:

That the City of Lansing renew general liability and vehicle insurance policy with Auto Owners Insurance Company (Hacker, King, Sherry Agents) effective July 1, 1981, for the one year period ending June 30, 1982.

Adopted by the following vote:

Unanimously.

By PHYSICAL DEVELOPMENT COMMITTEE—

Resolved by the City Council of the City of Lansing:

Whereas, the Mayor has submitted the name of Mr. Nelson Stark for Council consideration and approval to serve as a member of the Public Service Board, and

Whereas, the Committee on Physical Development has interviewed Mr. Stark for this position,

Now, Therefore, Be It Resolved the City Council of the City of Lansing hereby approves and confirms the appointment of Mr. Nelson Stark to serve on the Public Service Board for a term to expire on June 30th, 1985.

Adopted by the following vote:

Unanimously.

By PHYSICAL DEVELOPMENT COMMITTEE—

Resolved by the City Council of the City of Lansing:

Whereas, the Mayor has submitted to the Council the name of Patrick J. Shurtliff to fill a vacancy on the Board of Electrical Examiners, and

Whereas, the Committee on Physical Development has interviewed Mr. Shurtliff,

Now, Therefore, Be It Resolved the City Council of the City of Lansing hereby approves and confirms the appointment of Patrick Shurtliff to the Board of Electrical Examiners for a term to expire June 30th 1983.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PHYSICAL DEVELOPMENT—

Resolved by the City Council of the City of Lansing:

That it is hereby determined to be a matter of public health and necessity to con-

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struct sanitary sewers in the following streets:

Aurelius Road from the existing sewer at Worden St. north to Wayne Street;

In Wayne Street from Aurelius Road to the East end of streets; and

In Irene Street from Aurelius Road to the East end of street;

and that the construction of these improvements is hereby ordered.

And Further, that the estimated cost of this project is to be financed by special assessment to the benefited properties and

Be It Further Resolved, that the Department of Public Service is hereby directed to prepare as far as necessary, plans and specifications for this project and to esitmate in detail, the cost of said project and to furnish said information to the Mayor and City Council.

Adopted by the following vote:

Unanimously.

By COUNCILMAN WORTHINGTON—

Resolved by the City Council of the City of Lansing:

LS-13-81
1123 Whyte Street and
1801 Massachusetts Avenue

Whereas, pursuant to the Lansing Subdivision Regulations, being Chapter 37 of the Code of the City of Lansing, the Greater Lansing Church of God has requested that that property commonly known at 1801 Massachusetts Avenue and 1123 Whyte Street, more particularly described as:

The north 198.0 feet of Lot 233, the entire Lot 234 and the west 16.0 feet of Lot 235, Highland Park, City of Lansing, Ingham County, Michigan;

be divided into two (2) parcels of land to be known as 1801 Massachusetts Avenue, more particularly described as:

Parcel A—The north 198 feet of Lot 233, the entire Lot 234, and the west 16 feet of Lot 235, except the south 102 feet thereof, Highland Park Subdivision, City of Lansing, Ingham County, Michigan; and

1123 Whyte Street, more particularly described as:

Parcel B—The South 102 feet of Lot 233, the entire Lot 234 and the west 16 feet of Lot 235, Highland Park Subdivision, City of Lansing, Ingham County, Michigan; and

Whereas the Planning Board, at their meeting of June 2, 1981, recommended that the lot division be approved; and

Whereas the Physical Development Committee, to whom the report of the Planning Board was referred, concurs therewith;

Now, Therefore, Be It Resolved that the Council of the City of Lansing hereby approves the above described lot division; and

Be It Further Resolved that the City Clerk be, and she is hereby, directed to notify the petitioner of this action.

The applicant, however, stipulates and understands that the lot split as granted by the City of Lansing does not necessarily mean that the applicant may proceed with the division of the property. The applicant further understands that there may be some private restrictions contained in his deed for plat restrictions which may or may not be required with the Register of Deeds, which may run with the land.

The applicant further understands that the City does not have the power or authority over these restrictions.

Adopted by the following vote:

Unanimously.

By PHYSICAL DEVELOPMENT—

Resolved by the City Council of the City of Lansing:

Whereas, the City Council, by resolution, on July 31, 1978 adopted a Citizen Participation Plan as required by the Federal Government to guarantee citizen input on the use of Community Development Funds, and

Whereas, it has become necessary to modify the election procedures for citizens as outlined in the 1978 Citizens Participation Plan,

Now, Therefore, Be It Resolved, the City Council of the City of Lansing hereby amends the Citizen Participation Plan which became effective August 1st, 1978, by replacing the election procedures outlined in that document with the attached procedures for Citizen District Council Elections.

Adopted by the following vote:

Unanimously.

## PUBLIC IMPROVEMENT I

By COMMITTEE ON PHYSICAL DEVELOPMENT—

Resolved by the Mayor and City Council of the City of Lansing:

That it is hereby determined to be a public necessity to construct sanitary sewers in Aurelius Rd. from the existing sewer at Worden St. north to Wayne St., in Wayne St. from Aurelius Rd. to East end of street and in Irene St. from Aurelius Rd. to the East end of street as ordered (Council Resolution 6/22/81).

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That the Department of Public Service be and hereby is directed to cause to be prepared so far as necessary, diagrams and plats of the whole of said district, and/or plans and specifications for such project, and is further directed to estimate in detail the cost of said project, and furnish said information to the Council.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PHYSICAL DEVELOPMENT—

Resolved by the Mayor and City Council of the City of Lansing:

That it is hereby determined to be a public necessity to construct storm sewer improvement in Renee Street from Midwood Street to the south end; as petitioned for (See Petition No. S-2-81 on file with the City Clerk). Special Letter of request from Roy Markey.

That the Department of Public Service be and hereby is directed to cause to be prepared so far as necessary, diagrams and plats of the whole of said district, and/or plans and specifications for such project, and is further directed to estimate in detail the cost of said project, and furnish said information to the Council.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PHYSICAL DEVELOPMENT—

Resolved by the Mayor and City Council of the City of Lansing:

That it is hereby determined to be a public necessity to construct sanitary sewer in Richard Road from Edgewood Road to the south end (I-96); as petitioned for (See Petition No. S-3-81 on file with the City Clerk). Signed by 50% of the benefited owners; signed by owners of 59.6% of the benefited frontage.

That the Department of Public Service be and hereby is directed to cause to be prepared so far as necessary, diagrams and plats of the whole of said district, and/or plans and specifications for such project, and is further directed to estimate in detail the cost of said project, and furnish said information to the Council.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PHYSICAL DEVELOPMENT—

Resolved by the Mayor and City Council of the City of Lansing:

That is it hereby determined to be a public necessity to construct curb and gutter and storm sewer in Midwood Street between Pleasant Grove Road and Wise Road, as petitioned for (See Petition No. C&G-2-81 on file with the City Clerk). Signed by 53% of the benefited owners; signed by owners of 54.9% of the benefitde frontage.

That the Department of Public Service be and hereby is directed to cause to be prepared so far as necessary, diagrams and plats of the whole of said district, and/or plans and specifications for such project, and is further directed to estimate in detail the cost of said project, and furnish said information to the Council.

Adopted by the following vote:

Unanimously.

## ZONING

By COUNCILMAN WORTHINGTON—

Whereas, it is deemed desirbale to amend the Classification provided for in the Zoning Code of the City of Lansing, passed on the 13th day of November, 1958, in the following particulars, viz:

That property described as:

Z-16-81 — Edgewood Blvd. at American Rd.,

be re-zoned from "A" One Family Residential District to "F" Commercial and "D-1" Profesional Office District and the "Map" be changed to indicate such transfer;

Therefore, be it resolved, that the City Clerk shall give at least fifteen days notice of a Public Hearing when all persons interested may attend and make any objections they may have to such proposed changes in said Zoning Code.

Resolved further, that such hearing shall be held at the Council Chamber in the City Hall on the 13th day of July, 1981, at 7:00 o'clock p.m., and that notice of such hearing be published in the official publication of said city, as required by law.

Adopted by the following vote:

Unanimously.

By COUNCILMAN WORTHINGTON—

Whereas, by petition duly filed on the 23rd day of February, 1981, this council was petitioned to change the following described property from "A" One Family Residential District to "B" One Family Residential District all as set forth in the Zoning Code of this city, and

Whereas the property involved is:

Z-5-81—228 W. Hodge Street; Parcel 3301-28-336-031.

More particularly described as:

Lot 27, except the north 112 feet, Half-Acre Land Company's Subdivision,

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City of Lansing, Ingham County, Michigan;

from "A" Residential District to "B" Residential District.

Whereas the Planning Board at their meeting of May 19, 1981, recommended that this petition be denied; and

Whereas the Physical Development Committee of the Council, to whom was referred the report of the Planning Board and concurred therewith;

Now, Therefore, Be It Resolved that the Council of the City of Lansing ordains that the petition to rezone the above property from "A" Residential District to "B" Residential District be denied; and

Be It Further Resolved that the City Clerk be, and she is hereby, directed to notify the petitioner of this action.

Adopted by the following vote:

Unanimously.

By WAYS AND MEANS COMMITTEE—

Resolved by the City Council of the City of Lansing:

That the remaining unexpended as indicated in the following accounts at June 30, 1981, be reappropriated and brought forward to indicate accounts in the 1981-82 budget year.

City Council

101-101-000-729—Printing $8,800

Adopted by the following vote:

Unanimously.

By WAYS AND MEANS COMMITTEE—

Resolved by the City Council of the City of Lansing:

That the following transfers be approved:

$ 7,000.00 from Washington Park Paving
A/C 101-936-720-974

$ 7,000.00 to Repair and Maintenance
A/C 101-718-000-931

$22,745.69 from Public Water—General Admin.
A/C 101-930-000-927

$22,745.69 to Street Lighting—General Adm.
A/C 101-930-000-826

$22,000.00 from General Fund Fund Balance
A/C 101-000-000-390

$22,000.00 to Reserve for Contingency
A/C 101-941-000-963

$22,000.00 from Reserve for Contingency
A/C 101-941-000-963

$22,000.00 to Professional Service—Legal
A/C 101-226-000-801

I hereby certify that this is a properly drawn and eligible transfer.

JAMES W. DOWSETT,
Finance Director.

Approved:

TERRY J. McKANE,
WILLIAM A. BRENKE,
JACK D. GUNTHER,
Ways and Means Committee.

By COUNCILMAN McKANE—

That the transfer of funds in the amount of $7,000.00 be referred back to the Committee on Ways and Means.

Carried.

The following vote was taken on the transfer of funds for $22,745.69 and $22,000.00.

Adopted by the following vote:

Unanimously.

## INTRODUCTION OF ORDINANCE(S)

The following ordinance(s) of the City of Lansing, Michigan, providing that the Code of Ordinances be amended by:

Amending Chapter 36, Article XIV of the Code by adding a new section to be numbered 36-99.1E to provide for an amendment to the amended Physical Development Plan for NDA No. 1 for the acquisition of property at 1404 West Kalamazoo St.

was introduced by Council Worthington, read a first and second time by their title(s), and referred to the Committee on Physical Development.

## ORDINANCES

By COUNCILMAN WORTHINGTON—

The Committee reported that it had considered an ordinance providing, that the Code of Ordinances, City of Lansing, Michigan, be amended by:

Revising subsections 36-104.3 and 36-104.4 and by adding subsections to be numbered 36-104.5 and 36-104.6 to create the positions of alternates, provide for the filling of vacancies in elected posititons and on the Citizens District Council in NDA No. 2 and provide for the holding of special elections.

Revising subsection 36-139.5 to create the positions of alternate, provide for the fill-

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ing of vacancies in elected positions on the Citizens District Council in NDA No. 4 and provide for the holding of special elections, an drecommend that the ordinances be passed.

Carried.

## ORDINANCE NO. 597

By COUNCILMAN WORTHINGTON—

Resolved by the City Council of the City of Lansing, that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by revising subsections 36-104.3 and 36-104.4 and by adding subsections to be numbered 36-104.5 and 36-104.6 to create the positions of alternates, provide for the filling of vacancies in elected positions and on the Citizens District Council in NDA No. 2 and provide for the holding of special elections, be placed on order of immediate passage.

By COUNCILMAN WORTHINGTON—

Resolved by the City Council of the City of Lansing, that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by revising subsections 36-104.3 and 36-104.4 and by adding subsections to be numbered 36-104.5 and 36-104.6 to create the positions of alternates, provide for the filling of vacancies in elected positions and on the Citizens District Council in NDA No. 2 and provide for the holding of special elections, be now passed.

Adopted by the following vote:

Unanimously.

## ORDINANCE NO. 597

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, PROVIDING THAT CHAPTER 36 OF THE CODE OF ORDINANCES, CITY OF LANSING, MICHIGAN, BE AMENDED BY REVISING SUBSECTIONS 36-104.3 and 36-104.4 AND BY ADDING SUBSECTIONS TO BE NUMBERED 36-104.5 and 36-104.6 TO CREATE THE POSITIONS OF ALTERNATES, PROVIDE FOR THE FILLING OF VACANCIES IN ELECTED POSITIONS ON THE CITIZENS DISTRICT COUNCIL IN NDA NO. 2 AND PROVIDE FOR THE HOLDING OF SPECIAL ELECTIONS.

The City of Lansing Ordains:

Section 1. That Chapter 36 of the Code of Ordinances of the City of Lansing, Michigan, be amended by revising Subsections 36-104.3 and 36-104.4 and by adding Subsections to be numbered 36-104.5 and 36-104.6 to read as follows:

Sec. 36-104.3. **Citizens' District Council; terms of members.**

The original terms of office of the members of the citizens' district council appointed or elected pursuant to this ordinance shall be as follows:

(A) Three (3) elected and one appointed member from the development area shall serve terms of three (3) years.

(B) Two (2) elected and one appointed member from the development area shall serve terms of two (2) years.

(C) Two (2) elected and one appointed member from the district area shall serve terms of one year.

(D) One member elected from the peripheral area shall serve a term of three (3) years.

(E) One elected and one appointed member from the peripheral area shall serve terms of two (2) years.

(F) One elected and one appointed member from the peripheral area shall serve terms of one year.

All terms of office after the original terms of office set forth above shall be for three (3) years.

Sec. 36-104.4. **Vacancies; citizens' district council.**

Vacancies of appointed members on the citizens' district council occurring during the unexpired terms of office shall be filled by appointment of the mayor. Such appointments shall be effective only upon confirmation by city council. The citizens' district council may recommend individuals to the mayor for appointment to fill any vacancies existing on the citizens' district council. The mayor shall consider all such recommendations before making his appointments. Prior to making any appointment to fill any expired or new term of office on the citizens' district council, notices shall be distributed in the development and peripheral areas soliciting individuals to apply to the mayor's office for appointment to fill such vacancies. Such notices shall be distributed at least thirty (30) days prior to making any such appointment and shall indicate the final date for applying to be considered for that appointment.

The mayor of the City of Lansing shall forward each appointment to the citizens' district council to the City council for confirmation along with a list of all individuals not appointed. The city council shall confirm or reject all appointments made by the mayor within thirty (30) days of the date the appointment was forwarded to the mayor.

In the event the office of an appointed member becomes vacant before the end of the term of that office, the appointment to fill said office shall be for the remainder of that term only.

Sec. 36-104.5. **Vacancies in Elected Positions: Citizens District Council.**

There shall be three (3) elected positions known as 'alternates' from which vacancies

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in elected positions on the citizens district council shall be filled. Two (2) of the alternates shall be elected from the development area and one (1) alternate shall be elected from th peripheral area. Any vacancy in an elected position on the citizens district council shall be filled by an alternate elected from the same area as the area in which the elected position vacancy exists. If the elected position vacancy is in the development area, the alternate elected from the developmnt area who has recived the higher number of votes in the election shall fill the vacancy. If a vacancy occurs in an elected position and there exists no alternate from the appropriate area to fill the vacancy, the elected position on the citizens district council shall remain vacant until the next election.

Any vacancies which occur in the alternate position shall be filled by election only. The length of term for an alternate position shall be one (1) year. However, if an alternate during the course of the one (1) year term, fills an elected position vacancy on the citizens district council, the alternate shall fill the elected position vacancy for the duration of the unexpired term of office.

Sec. 36-104.6. **Members of Citizens District Council Totalling Eleven (11) OR LESS.**

Whenever a citizens district council consists of eleven (11) members or less solely because of vacancies in elected positions, then a special election shall be held to elect individuals to fill the elected position vacancies for the duration of the unexpired term of office. Notice of the special election shall be distributed in the appropriate area(s) at least fifteen (15) days prior to the special election and shall indicate the time and location of the polling place.

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance shall take effect thirty (30) days from its passage unless given immediate effect by the City Council.

By COUNCILMAN WORTHINGTON—

Resolved by the City Council of the City of Lansing:

This ordinance being necessary for the immediate preservation for the public peace, health or safety shall take effect upon its passage.

Carried.

## ORDINANCE NO. 598

By COUNCILMAN WORTHINGTON—

Resolved by the City Council of the City of Lansing, that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by revising subsection 36-139.5 to create the positions of alternate, provide for the filling of vacancies in elected positions on the Citizens District Council in NDA No. 4 and provide for the holding of special elections, be placed on order of immediate passage.

By COUNCILMAN WORTHINGTON—

Resolved by the City Council of the City of Lansing, that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan be amended by revising subsection 36-139.5 to create the positions of alternate, provide for the filling of vacancies in elected positions on the Citizens District Council in NDA No. 4 and provide for the holding of special elections be now passed.

Adopted by the following vote:

Unanimously.

## ORDINANCE NO. 598

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, PROVIDING THAT CHAPTER 36 OF THE CODE OF ORDINANCES, CITY OF LANSING, MICHIGAN, BE AMENDED BY REVISING SUBSECTION 36-139.5 TO CREATE THE POSITIONS OF ALTERNATE, PROVIDE FOR THE FILLING OF VACANCIES IN ELECTED POSITIONS ON THE CITIZENS DISTRICT COUNCIL IN NDA NO. 4 AND PROVIDE FOR THE HOLDING OF SPECIAL ELECTIONS.

The City of Lansing Ordains:

Section 1. That Chapter 36 of the Code of Ordinances of the City of Lansing, Michigan, be amended by revising Subsection 36-139.5 to read as follows:

Sec. 36-139.5. **Neighborhood District Area No. 4 Citizens' District Council—Created; appointment of members; powers and duties.**

There shall be created a citizens' district council for Neighborhood District No. 4, pursuant to Act 344 of the Public Acts of 1945, as amended by Act 189 of the Public Acts of 1968 and Act 173 of the Public Acts of 1969 of the State of Michigan. The citizens' district council shall consist of fifteen (15) members with the combination of elected and appointed members as follows: Seven (7) members elected from the development area; three (3) members electd from th balance of the district area, excluding the development area; and two (2) members appointed from the district area, excluding the development area. The term of office on the citizens' district council shall be for three (3) years.

The rights, duties and functions of the citizens' district council shall be the same as set forth in Act 189 of the Public Acts of 1968 and Act 173 of the Public Acts of 1969 of the State of Michigan, including other amendments to this act as they may affect those rights, duties and functions.

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There shall be three (3) elected positions known as 'alternates' from which vacancies in elected positions on the citizens district council shall be filled. Two (2) of the alternates shall be elected from the development area and one (1) alternate shall be elected from th peripheral area. Any vacancy in an elected position on the citizens district council shall be filled by an alternate elected from the same area as the area in which the elected position vacancy exists. If the elected position vacancy is in the development area, the alternate elected from the deevlopment area who has rceived the higher numbr of votes in th eleection shall fill the vacancy. If a vacancy occurs in an elected position and there exists no alternate from the appropriate area to fill the vacancy, the elected position on the citizens district council shall remain vacant until the next election.

Any vacancy which occurs in an alternate position shall be filled by election only. The length of term for an alternate position shall be one (1) year. However, if an alternate during the course of the one (1) year term, fills an elected position vacancy on the citizens district council, the alternate shall fill the elected position vacancy for the duration of the unexpired term of office.

Whenever a citizens district council consists of eleven (11) members or less solely because of vacancies in elected positions, then a special election shall be held in order to fill the elected position vacancies for the duration of the unexpired terms of office. Notice of the special election shall be distributed in the appropriate area(s) at least fifteen (15) days prior to the special election and shall indicate the time and location of the polling place.

All vacancies occurring in appointed members positions on the citizens district council shall be filled by appointment by the mayor of the City of Lansing. The members of the citizens district council appointed by the mayor of the City of Lansing shall be selected in a manner that insures that the citizens district council is, to the maximum extent possible, representative of the residents of the area and other persons with a demonstrable and substantial interest in the area. Such appointments shall be effective only upon confirmation by city council. The citizens council may recommend individuals to the mayor for appointment to fill any vacancies existing in appointed positions on the citizens district council. The mayor shall consider all such recommendations before making his appointments. Whenever any two (2) or more members of the citizens district council have a substantially demonstrable interest rather than residency or property ownership in the development or peripheral area, than any subsequent appointee by the mayor shall be either a resident of or an owner of property in the development or peripheral area. Prior to making any appointment to fill any expired or new term of office on the citizens district council, notices shall be distributed in the development and peripheral areas soliciting individuals to apply to the mayor's office for appointment to fill such vacancies. Such notices shall be distributed at least thirty (30) days prior to making any such appointment and shall indicate the final date for applying to be considered for that appointment.

The mayor of the City of Lansing shall forward each appointment to the citizens district council to the city council for confirmation along with a list of all individuals not appointed. The city council shall confirm or reject all appointments made by the mayor within thirty (30) days of the date the appointment was forwarded to the mayor.

In the event the office of an appointed member becomes vacant before the end of the term of that office, the appointment to fill said office shall be for the remainder of that term only.

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance shall take effect thirty (30) days from its passage unless given immediate effect by the city council.

By COUNCILMAN WORTHINGTON—

Resolved by the City Council of the City of Lansing:

This ordinance being necessary for the immediate preservation for the public peace, health or safety shall take effect upon its passage.

Carried.

By COUNCILMAN McKANE—

Resolved by the City Council of the City of Lansing:

That Councilman Belen be excused from the session.

Carried.

## REMARKS FROM THE MAYOR'S EXECUTIVE ASSISTANT

No comment.

## REMARKS BY THE CITY COUNCIL

By COUNCILMAN ADADO—

Resolved by the City Council of the City of Lansing:

That the rules for the Council be waived for the purpose of presenting items that are not listed on the agenda.

Carried.

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Petition filed in support of the softball complex on Aurelius Rd.

Referred to Committee on Public Property and Safety.

By COUNCILMAN LINDEMANN—

Resolved by the City Council of the City of Lansing:

Whereas, Mr. W. D. Straub has requested permission to construct a mansard roof overhang, which will encroach over the public right-of-way, in conjunction with the facade restoration of premises located at 636 East Michigan Avenue, and

Whereas, contact with the Michigan Department of Transportation by the Planning Department Staff has revealed that the improvement project is within standards established for protrusions extending over a street under state jurisdiction. and

Whereas, that position has been conveyed to the Mayor and City Counocil,

Now, Therefore, Be It Resolved that Mr. W. D. Straub's request to proceed with the renovation project is hereby approved provided the proper permits are issued by the Michigan Department of Transportation and the City Building Department.

Adopted by the following vote:

Unanimously.

Chris Baryames spoke.

Jack VerPlanck, 822 Pierce Rd., spoke.

By COUNCILMAN ADADO—

That this meeting stand adjourned.

Carried.

Council adjourned at 9:00 P.M.

THEO FULTON,
City Clerk.

Lansing, Michigan

June 22, 1981

B

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CITY CLERK'S OFFICE
Room 921, City Hall
Lansing, Michigan 48933

Address Correction Requested

BULK RATE
U. S. POSTAGE
PAID
Permit No. 1461
Lansing, Michigan



# OFFICIAL PROCEEDINGS OF
# THE CITY COUNCIL
## OF THE CITY OF LANSING

## Proceedings, June 29, 1981

CITY COUNCIL ROOMS

Lansing, Michigan
June 29, 1981

The City Council of the City of Lansing, Michigan, met in regular session and was called to order by President Belen.

Present: Councilmen Adado, Belen, Blair, Brenke, Gunther, Lindemann, McKane, Worthington—8.

Absent: None.

The Clerk announced that a quorum of the Council was present.

Invocation was given by Councilman McKane.

Pledge of Allegiance was led by Councilman McKane.

By COUNCILMAN McKANE—

That the Council Proceedings of June 9 and 15, 1981, be approved.

Carried.

By COUNCILMAN ADADO—

Resolved by the City Council of the City of Lansing:

That the rules of the Council be waived for the purpose of presenting the following resolution.

Carried.

By COMMITTEE OF THE WHOLE—

Resolved by the City Council of the City of Lansing:

Whereas, the Eastern High School Varsity Girls Softball Team has captured the State Class A championship this year, and

Whereas, the team has been organized for only eight years, and

Whereas, under the able leadership of coach Jean Robinson this remarkable team finished an impressive 26 win and one loss season at Lansing Ranney Park by trouncing Warren Cousino by a score of 8-0, and

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Whereas, Coach Robinson, the fifteen players and one manager listed below have brought this honor to our city,

Now, Therefore, Be It Resolved, the City Council of the City of Lansing hereby extends its heartiest congratulations and thanks to Jean Robinson, Donna Beard, Heather Curley, Rachel Dexter, Sandi Grow, Lorri Jolley, Kelley Keyton, Lesley Keyton, Michelle Keyton, Rosie Montaloo, Sally Sohn, Sue Spagnuolo, Connie Torrez, Nancy Tucker, Linda Villarreal, Kris Williams, Bobbie Wing, and

Be It Further Resolved, on behalf of all the citizens of Lansing, the City Council expresses sincere appreciation to the entire team of young women and their families.

Adopted by the following vote:

Unanimously.

## PUBLIC HEARING, NDA NO. 1

CITY CLERK FULTON: This is the time set for the public hearing on the proposed amendment to the amended Physical Development Plan for Westside Neighborhood Development Area No. 1. This hearing is to consider an amendment prepared pursuant to the requirements of Michigan Act 344 of the Public Acts of 1945 as amended.

PRESIDENT BELEN: The Clerk will read.

CITY CLERK FULTON: The proposed Amendment contains provisions for the acquisition of 1404 West Kalamazoo Street.

PRESIDENT BELEN: Sandra Hearns of the Lansing Planning Department will now proceed with the introduction of the exhibits.

SANDRA HEARNS: President Belen, members of City Council, ladies and gentlemen, this public hearing is being held in accordance with Michigan Act 344 of the Public Acts of 1945, as amended, an Act known as the Blighted Areas Act. For the purpose of the record, I would like to introduce eight exhibits regarding the background of the proposal and activities that have occurred in preparation for this hearing.

(It is not necessary to read each of the exhibits, but their description follows:)

**Exhibit No. 1** is a certified copy of an excerpt from Citizens' District Council No. 1 minutes of May 12, 1981, in which the members tentatively agreed to abide by the wishes of the homeowner regarding the treatment of 1404 West Kalamazoo Street.

**Exhibit No. 2** is an affidavit affirming that a telephone survey was conducted to determine if the members tentatively approved the proposed acquisition of 1404 West Kalamazoo Street.

**Exhibit No. 3** is a certified copy of an excerpt from the Planning Board minutes of May 19, 1981, in which the members tentatively approved the proposed acquisition of 14044 West Kalamazoo Street.

**Exhibit No. 4** is background information on the proposed acquisition of 1404 West Kalamazoo Street.

**Exhibit No. 5** is a copy of the Resolution of the City Council setting June 29, 1981, as the date of Public Hearing to consider the proposed plan amendment.

**Exhibit No. 6** is a certified copy of the notice of Public Hearing that was published in the Lansing State Journal on Thursday, May 28, 1981.

**Exhibit No. 7** i san affidavit affirming that notice of the Public Hearing was mailed to residents and property owners in the district and development areas of the Neighborhood Development Area No. 1 on Wednesday, May 27, 1981.

**Exhibit No. 8** is an affidavit affirming that notice of the Public Hearing was distributed to residents in the district and development areas of Neighborhood Development Area No. 1 by Saturday, May 30, 1981.

The structure at 1404 West Kalamazoo Street qualifies for acquisition because of major deficiencies that have accumulated in the roof structure, heating ducts, electrical service and chimney (which causes circulation problems in the second floor rental kitchen). Other deficiencies have been found in the plumbing, the two kitchens, the two bathrooms, door and window units, sun deck roofing, gutters and downspouts. The estimated repair cost is $39,000.

PRESIDENT BELEN: Anyone in the audience who would like to comment on the proposed acquisition of the property at 1404 West Kalamazoo Street in Neighborhood Development Area No. 1, the relocation of the families and the demolition of the structure on the property, please step to the microphone. State your name, address and comments, keeping in mind that there may be other people who would like to be heard.

PRESIDENT BELEN: If there are no further comments, then the Planning Department is directed by the Chair to forward this Amendment to the Westside Neighborhood Development Area No. 1 Plan to Citizens' District Council No. 1 for their review. Pursuant to Public Act 344, the District Council's action must be completed during the ten day period ending on July 9, 1981.

Referred to Committee on Physical Development.

## PUBLIC HEARINGS

June 29, 1981, at 7:00 o'clock being the time set as the time for holding a public hearing on the proposed Ordinance to

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amend by revising Sections 37-30 and 37-35 to provide for street surfacing by subdividers and to permit the deferral of sidewalk construction by subdividers after final plat approval.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed ordinance, they had the privilege of speaking at this time.

Francis Fine, 501 Burgandy Lane, East Lansing, Mich., spoke.

Tom Mulder spoke.

Dick Neller, Walter Neller Co., spoke.

John Coleman, Coleman Building Co., spoke.

John Dood, representing Roy Markey, spoke.

Mike Markey spoke.

Referred to Committee on Physical Development.

June 29, 1981, at 7:00 o'clock being the time set as the time for holding a public hearing on the proposed establishment of a Lansing Commercial Redevelopment District for

CRD-4-81—Washington Square Building
109 W. Michigan Avenue.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed district, they had the privilege of speaking at this time.

David Derman spoke.

Referred to Committee on Economic Development.

June 29, 1981, at 7:00 o'clock being the time set as the time for holding a public hearing on the proposed establishment of a Lansing Commercial Redevelopment District for

CRD-5-81—Jackson National Life
Insurance
5929 Executive Drive.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed district, they had the privilege of speaking at this time.

Referred to Committee on Economic Development.

## HEARINGS ON PROPOSED CHANGES IN ZONING CLASSIFICATIONS

June 29, 1981, at 7:00 o'clock being the time set as the time for holding a hearing on the proposed changes in the Classifications as provided for in the Zoning Code which was passed by the City Council on November 13, 1958, said proposed amendment being as follows:

That the property described as:

Z-12-81—736 Center Street,

be rezoned from "C" Two Family Residential District to "G" Business District.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed amendment to the Classifications provided for in the Zoning Code he had the privilege of speaking at this time.

No objections were made to the proposed amendment.

Referred to Committee on Physical Development.

June 29, 1981, at 7:00 o'clock being the time set as the time for holding a hearing on the proposed changes in the Classifications as provided for in the Zoning Code which was passed by the City Council on November 13, 1958, said proposed amendment being as follows:

That the property described as:

Z-15-81—2605 E. Cavanaugh Road,

be rezoned from "E-1" Drive-In Shop District to "DM" Multiple Dwelling District.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed amendment to the Classifications provided for in the Zoning Code he had the privilege of speaking at this time.

No objections were made to the proposed amendment.

Referred to Committee on Physical Development.

**THE PUBLIC MAY NOW ADDRESS THE CITY COUNCIL ON ANY OF THE FOLLOWING ITEMS LISTED ON THE AGENDA: COMMUNICATIONS AND PETITIONS, COMMITTEE REPORTS, REPORTS OF CITY OFFICERS AND BOARDS AND RESOLUTIONS. YOU MAY SPEAK ONLY FOR 3 MINUTES ON ANY ONE ITEM.**

Letter d under "Letters from the Mayor" removed .

Resolution 2 b was removed.

Dennis Esmay spoke on resolution to be under suspension of rules relative political advertisement and campaigning in the 4th of July parade.

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Thomas Walsh, 431 S. Capitol Avenue, spoke relative special assessment for Downtown area.

Priscilla Holmes, Citizens' District Council, N.D.A. No. 4, spoke relative Woodlawn Avenue.

Kim Keller, 236 Woodlawn, spoke.

Dorothy Petosky, 240½ Woodlawn, spoke.

Mrs. Bulos, 237 Woodlawn, spoke.

Susan Eby, 130 Island, owner of 232 Woodlawn, spoke.

Ken Tableman, 307 Moores River Drive, spoke.

Fred Henderson spoke.

Jerry Zimmerman, 3220 Brisbane, spoke.

Mr. Boettcher, representing Chamber of Commerce and Downtown Business Council, spoke.

Tom Green, Downtown Business Council, spoke.

## COMMUNICATIONS AND PETITIONS

The following applications and bonds have been filed for licenses:

PUBLIC DRIVERS—

AUTOMOBILE WRECKER—
William Allen Lay.
Merry's Automotive, Ameri-Trans.

Referred to Committee on General Services.

Petition filed with State of Michigan, Michigan Tax Tribunal by Ellis English vs. City of Lansing in regard to assessment on property at 4916 S. Cedar Street.

Referred to Mayor, City Attorney, City Assessor.

Request filed by Edward Kirkbride to close off Hill Street on July 11, 1981, for the holding of a wedding reception.

Referred to Mayor.

Request from the U. S. Army Recruiting Station for permission to use a display area of the Washington Square Mall (July 20 to July 25) during the recruiting and public awareness campaign.

Referred to Mayor.

Letter from Eisenhour Construction Co., Inc., requesting permission to work until midnight or 2:00 a.m. on evenings when they pour the bridge deck surface at several locations.

Referred to Mayor.

Letter from Richard J. Lilly in regard to traffic and potential environmental problems associated with the proposed sports complex on the Aurelius Road Landfill.

Referred to Mayor, Committee on Public Properties and Safety, Planning Board.

Request from Rev. Rudy Henderson for permission to hold special Gospel Concerts and street meetings on the south end of Buhcard Park utilizing the parking lot July 18 and 25 and August 8, 14, 22 and 29, 1981.

Referred to Mayor.

Letter from the United States Prison Reform Organization requesting permission to present an appeal for Waiver of Filing Time Requirements for a permit to solicit for a Charitable Trust Organization.

Referred to Mayor, Committee on General Services, City Attorney.

Letter from Randy Lott of 827 N. Capitol Ave., in regard to placement of traffic signs.

Referred to Mayor.

## MAYOR'S EXECUTIVE ASSISTANT COMMENTS ON ANY ITEM ON THE AGENDA

No comment.

## REPORTS OF COMMITTEES

The COMMITTEE ON GENERAL SERVICES approves the following applications and bonds for licenses:

PUBLIC DRIVERS—
William Allen Lay.

AUTOMOBILE WRECKER—
Merry's Automotive, Ameri-Trans.

Signed:

WILLIAM A. BRINKE,
TERRY J. McKANE,
PAT LINDEMANN,
Committee on General Services.

By COUNCILMAN BRENKE—

That the report of the Committee be adopted.

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Adopted by the following vote:

Unanimously.

The COMMITTEE ON PHYSICAL DEVELOPMENT, to whom was referred the Ordinance of the City of Lansing providing that the Code be amended by adding a new section to be numbered 36-116.11 to provide for an amendment to the amended Physical Development Plan for Neighborhood Development Area No. 3 within the City for the acquisition of properties at 1403, 1405, 1407, 1411, 1413, 1501, 1505, 1507, 1515, 1517 and 1525 Ballard Street, reports as follows:

That said ordinance be passed.

Signed:

SIDNEY P. WORTHINGTON,
LUCILE BELEN,
WILLIAM A. BRENKE,
Committee on Physical Development.

By COUNCILMAN WORTHINGTON—

That the report of the Committee be adopted.

Adopted by the following vote::

Unanimously.

The COMMITTE EON PRYSICAL DEVELOPMENT, to whom was referred the rezoning petition Z-8-81 for property at 801 South Hosmer Street from "C" Two Family Residential District to "J" Parking and "F" Commercial District, reports as follows:

That said rezoning be approved.

Signed:

SIDNEY P. WORTHINGTON,
LUCILE BELEN,
WILLIAM A. BRENKE,
Committee on Physical Development.

By COUNCILMAN WORTHINGTON—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

The COMMITTEE ON PUBLIC PROPERTY AND SAFETY, to whom was referred the ordinance of the City of Lansing providing that the code be amended by establishing Chapter 27B to consist of Sections 27B-1 through 27B-7, inclusive, to be entitled "Principal Shopping Center Special Assessments" and to provide for the improvement and maintenance of Lansing's Downtown Shopping Area and for specially assessing the cost thereof against properties benefiting thereby, reports as follows:

That said ordinance be passed.

Signed:

PAT LINDEMANN,
SIDNEY P. WORTHINGTON,
Committee on Public Property and Safety.

By COUNCILMAN LINDEMANN—

That the report of the Committee be adopted.

Adopted by the following vote:

Yeas: Councilmen Adado, Belen, Blair, Brenke, Gunther, McKane, Worthington—7.

Nays: Councilman Lindemann—1.

The COMMITTEE ON PUBLIC PROPERTIES AND SAFETY, to whom was referred the request for additional free parking spaces at the Lansing Senior Center, reports as follows:

A parking space utilization study was performed at the Senior Center over a four-day period, using time-lapse photography. The lot was full at only one point in the study period. Upon review of the study results (attached) the Committee was told that the summer period is slower at the Senior Center, and is not representative of the need for more parking. This matter shall remain pending in Committee. The Administration is requested to perform another study of the same type in October or November for a report to this Committee by December 15, 1981.

Signed:

PAT LINDEMANN,
SIDNEY P. WORTHINGTON,
JAMES D. BLAIR,
Committee on Public Properties and Safety.

By COUNCILMAN LINDEMANN—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

The COMMITTEE ON WAYS AND MEANS, to whom was referred the recommendation of the Finance Department that Council Proceedings no longer be routinely mailed out due to high cost, estimated at $33,000 for FY 82, reports as follows:

That they concur that this practice be changed to limit mailings to home bound or otherwise incapacitated individuals and that proceedings instead be available for

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review in the City Clerk's Office. Also, this Committee requests that a review be done on the cost of proceedings and that a recommendation be made by the Administration as to the advisability of a charge for proceedings and a recommended rate.

Signed:

TERRY J. McKANE,
WILLIAM A. BRENKE,
JACK D. GUNTHER,
Committee on Ways and Means.

By COUNCILMAN McKANE—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

The COMMITTEE ON WAYS AND MEANS, to whom was referred the matter of a $22,000 account overrun in the Personnel Department, reports as follows:

The attached Report of Investigation is hereby submitted for Council approval and referral to the Mayor for necessary action.

Signed:

TERRY J. McKANE,
WILLIAM A. BRENKE,
JACK D. GUNTHER,
Committee on Ways and Means.

By COUNCILMAN McKANE—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

## REPORTS OF CITY OFFICERS AND BOARDS

June 23, 1981

Honorable Council President Lucile Belen
and Members of the Lansing City Council
10th Floor, City Hall
Lansing, Michigan 48933

Re: Claim of Neal Miller in the amount of $954.04

Dear Council President and Members of City Council:

On June 9, 1981, Neal Miller submitted a claim to the City for damages occurring to his vehicle as a result of a City garbage truck striking his vehicle while out at the Granger Landfill on West Grand River.

Research by this office reveals that on May 11, 1981, Neal Miller's 1973 pickup truck, which was being operated by Rod West, was at the Granger Lanfill on West Grand River. Mr. Miller's vehicle was stopped behind a City garbage truck when because of the muddy condition of the landfill, the City garbage truck begin backing up. Rod West stated that it was not until the City garbage truck was nearly upon him did he realize that the garbage truck driver must not have seen his vehicle and was not going to stop before hitting Miller's pickup truck. The City driver stated that he looked at his outside mirrors before he began backing up but failed to see any vehicle behind him. However, the City driver stated that if a smaller vehicle is located directly behind the City garbage truck, he would not be able to observe it in the mirrors. Mr. Miller has informed this office that his vehicle is incured with AAA but he does not have any collision coverage on his vehicle. Mr. Miller has submitted a written estimate of $954.04 from a body shop as being the amount of damage which occurred to his vehicle.

Although as a general rule a municipality is immune from tort liability during the performance of governmental functions, the State Legislature has carved out an exception to the above stated rule where property adamage occurs because of the negligent operation of a City vehicle by a City employee. MCLA 691.1405; MSA 3.996 (105). However, under the Michigan No-Fault Law, the tort liability for property damage to a motor vehicle is limited to $400.00 less the amount covered by insurance. MCLA 500.3135(d); MSA 24.13135(d). The Michigan Supreme Court has determined that since an experienced driver of large vehicles should be aware that the backing up of a large vehicle entails limitations on the view of the driver behind him, the driver of large vehicles should exercise increased vigilence before backing up. See **Hopkins** v **Lake**, 348 Mich 382, 83 NW2d 262 (1957).

Based upon the application of law to the above stated facts, it is the recommendation of this office that Mr. Miller's claim is valid but should only be allowed to the extent of $400.00.

Respectfully submitted,

STEPHEN R. SAWYER,
City Attorney.

By COUNCILMAN GUNTHER—

That we do not concur in the recommendation of the City Attorney and the amount of the claim be paid for $954.00.

Lost by the following vote:

Yeas: Councilmen Brenke, Gunther, Lindemann, Worthington—4.

Nays: Councilmen Adado, Belen, Blair, McKane—4.

By COUNCILMAN ADADO—

That we concur in the recommendation of the City Attorney and the City Clerk be

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and she is hereby directed to draw a warrant on the City Treasurer payable to Neal Miller in the amount of $400.00.

Adopted by the following vote:

Unanimously.

June 25, 1981

Honorable Council President Lucile Belen and Members of the Lansing City Council

Re: Claim of William Palmeteer in the amount of $138.00

Dear Council President Belen and

Members of City Council:

On May 20, 1981, claimant contacted the Lansing Fire Department for ambulance assistance. Mercy Ambulance was contacted by a Lansing Fire Department dispatcher and transported this claimant to Sparrow Hospital.

Section 4-303.5 of the Lansing City Charter requires that the Lansing Fire Department maintain and operate ambulance services as the welfare of the inhabitants of the City may require.

Based upon the fact that the Lansing Fire Department did not dispatch an ambulance in response to claimant's call. but instead, had Mercy Ambulance respond, it is the opinion of this office that the City is responsible for the cost of such private ambulance service in this instance.

Therefore, it is the recommendation of this office that this claim be allowed and that the check in the amount of $138.00 be forwarded directly to the Lansing Mercy Ambulance Service, Inc., on behalf of the claimant.

Respectfully submitted,

STEPHEN R. SAWYER,
City Attorney.

By COUNCILMAN BRENKE—

That we concur in the recommendation of the City Attorney and the City Clerk be and she is hereby directed to draw a warrant on the City Treasurer in the amount of $138.00, payable to Lansing Mercy Ambulance Service, Inc.

Carried.

DATE: 6/23/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Director of Building Safety and Development Re: Trash Removal Assessment

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

By COUNCILMAN LINDEMANN—

That we concur in the recommendation of the Mayor and said assessment be placed on the assessment roll.

Carried.

DATE: 6/23/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Submission of attached correspondence from the Finance Director Re: Revision of Revenue Estimate for Federal Revenue Sharing Fund for Fiscal Year 1981-82

The attached correspondence is submitted for your information.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Ways and Means.

June 25 ,1981

Council President Lucile Belen and Members of the Lansing City Council

10th Floor, City Hall

Lansing, Michigan 48933

Dear Council President and Members:

For your consideration and confirmation, I am submitting to you the names of Thomas J. Papiernik and Michael Haley to serve as Temporary Directors on the Jackson National Life Insurance Company Project.

These two individuals are currently serving as Temporary Directors on other EDC projects.

Trusting this meets with your approval, I remain

Sincerely,

GERALD W. GRAVES,
Mayor.

Referred to Committee on Economic Development.

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June 24, 1981

Honorable Council President Lucile Belen
and Members of the Lansing City Council

10th Floor, City Hall

Lansing, Michigan 48933

Dear Council President and Members:

This office has been recently advised by Roberta F. Overton that she no longer desires to serve as a member of the Public Service Board. Therefore, I am submittting to you for your consideration and confirmation, the name of Paulette I. Piirainen to fill said vacancy, which term expires June 30, 1984.

Ms. Piirainen resides at 2200 Heights Avenue in the City of Lansing and is employed at a center for the mentally impaired as a Speech and Language Pathologist.

Trusting this recommendation meets with your approval, I remain

Sincerely,

GERALD W. GRAVES,
Mayor.

Referred to Committee on Physical Development.

June 25, 1981

Council President Lucile Belen and
Members of the Lansing City Council
10th Floor, City Hall
Lansing, Michigan 48933

Dear Council President and Members:

For your consideration and confirmation, I am submitting to you the names of Michael Haley and George Hess to serve as Temporary Directors on the Mid-Michigan Ball Land, Inc. Project.

These two individuals are currently serving as Temporary Directors on other EDC projects.

Trusting this meets with your approval, I remain

Sincerely,

GERALD W. GRAVES,
Mayor.

Referred to Committee on Economic Development.

## RESOLUTIONS

By PHYSICAL DEVELOPMENT COMMITTEE—

Resolved by the City Council of the City of Lansing:

Whereas, the Physical Development Plan for NDA No. 3 Expanded Area calls for the vacation of Walker Street for the purposes of industrial reuse, and;

Whereas, the Lansing Planning Department has completed an Act 285 Review of this vacation and has recommended that the street be vacated, and;

Whereas, the Lansing Planning Board has discusse dthe information contained in the Act 285 Review and concurs with the Planning Department recommendation;

Now, Therefore, Be It Resolved that Walker Street, described as:

Beginning at the Northeast corner of Lot 11, thence 330 feet to the Northwest corner of Lot 6, thence North to the Southwest corner of Lot 6, thence East 327.5 feet to the Southeast corner of Lot 1, thence South 50 feet to the point of beginning, Blocks 6 and 7, Handy Home Addition, Lansing, Michigan,

is hereby abandoned and vacated;

SUBJECT TO: Right of ingress and egress for the employees of either public or private utilities and the right for the same utilities to maintain established easements.

Land and property disposition be in accordance with the NDA No. 3 Physical Development Plan and provisions thereof.

Be It Finally Resolved that the City Clerk is hereby authorized and directed to record a certified copy of this resolution with the Register of Deeds, and shall also send a copy of the recorded resolution to the State Treasurer.

Adopted by the following vote:

Unanimously.

By WAYS AND MEANS COMMITTEE—

Resolved by the City Council of the City of Lansing:

Whereas, the City has been involved in a Public Service Employment Program funded under Title 11D and Title VI of CETA, and

Whereas, in consonance with President Reagan's economic plan for the Nation, the N.S. Department of Labor ordered a 32 percent recision of FY81 CETA, Title VI funds and a 39 percent deferral of FY81 CETA, Title 11D funds, and

Whereas, the Lansing Tri-County Regional Manpower Consortium has directed its Executive Director to negotiate reductions in the FY81 CETA Public Service Employment Program administrative budgets of the program agents in order to accommodate the general reduction in public service employment funds, and

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Whereas, the City of Lansing has reduced its CETA administrative budget for FY81 by $51,444;

Now, Therefore, Be It Resolved that the CETA Title 11D and Title VI Administrative Cost Pool agreement between the City and the Lansing Tri-County Regional Manpower Consortium, Contract No. 1800, be amended to reduce the total funding amount by $51,444, from $248,097 to $196,653, with the effective date of the amendment retroactive to May 1, 1981.

Adopted by the following vote:

Unanimously.

By ECONOMIC DEVELAPMENT COMMITTEE—

Resolved by the City Council of the City of Lansing:

Whereas, it is necssary to hold a public hearing on the proposed establishment of a Lansing Commercial Redevelopment District CRD-6-81, Quality Dairy Company, 2121 W. Holmes Road, more particularly described as:

All that parcel of land in the Northwest corner of the Northwest one-quarter of Section 32, Town 4 North, Range 2 West, lying North and West of the Lake Shore and Michigan Southern Railroad, being part of the Chauncey Murphey Estate, (formerly in Lansing Township, Ingham County, Michigan), subject to all easements and restrictions established or of record; including a right-of-way easement granted to Michigan Bell Telephone Company six (6) feet in width, parallel and adjacent to the highway known as Pleasant Grove; the centerline of said easement being thirty-six (36) feet east of the centerline of Pleasant Grove.

Now, Therefore, Be It Resolved that the City Clerk give at least ten (10) days notice of a public hearing when all persons interested may attend and make any objections they may have to such proposed district; and

Be It Further Resolved that such hearing be held at the Council Chambers in the City Hall on the 20th day of July at 7:00 p.m.; and that notice of such hearing be published in a publication of general circulation in said city.

Adopted by the following vote:

Unanimously.

By ECONOMIC DEVELOPMENT COMMITTEE—

Resolved by the City Council of the City of Lansing:

Whereas, by petition duly filed on April 14, 1981, this Council was petitioned to establish a Lansing Commercial Redevelopment District CRD-3-81, pursuant to Public Act 255 of 1978; and

Whereas, due notice has been given for a public hearing on said petition; and

Whereas, at such hearing held on the 26th day of May, 1981, all parties interested therein were heard and given due consideration; and

Whereas, the property involved is commonly known as 1408 and 1414 East Michigan Avenue, more particularly described as:

PARCEL A

Lot No. 3, Assessors Plat No. 17 in the City of Lansing, Michigan.

PARCEL B

Lot No. 2 of Assessors Plat No. 17 on the Southeast ¼ of Section 15, T4N, R2W, City of Lansing, County of Ingham and State of Michigan, according to the recorded plat thereof as contained in Liber 10 of plats, Page 20; subject to easements and restrictions of record.

Subject to a Grant of Easement on Lot No. 2, Assessor's Plat No. 17, on the Southeast ¼ of Section 15, T4N, R2W, City of Lansing, Ingham County, Michigan, dated May 14, 1980, described as:

Beginning at the Northeast corner of Lot 2, thence West 3.0 feet along the North property line of Lot No. 2, thence South along a line parallel to the East property line of Lot No. 2 for a distance of 30 feet from the North line of Lot No. 2, thence Southeast to a point on the East property line of Lot No. 2, said point being 40 feet South of the North property line of Lot No. 2, thence North 40 feet along the East property line of Lot No. 2 to the point of beginning.

And, in addition, a Grant of Easement on Lot No. 1, Assessor's Plat No. 17, on the Southeast ¼ Section 15, T4N, R2W, City of Lansing, Ingham County, Michigan, dated May 14, 1980, described as:

Beginning at the Northwest corner of Lot No. 1, thence East 7.5 feet along the North property line of Lot No. 1, thence south along a line parallel to the West property line of Lot No. 1 for a distance of 30 feet from the North line of Lot No. 1, thence West 7.5 feet, thence 30 feet North along the West property line of Lot No. 1 to the point of beginning.

Petitioner: Triad Investment Firm.

Whereas, after considering all the testimony presented to this Council, this Council has determined that the proposed District is zoned for commercial uses and has been so zoned for three years prior to the effective date of P.A. 255 and is characterized

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by obsolete commercial property and a decline in commercial activity;

Now, Therefore, Be It Resolved that the Council of the City of Lansing hereby establishes a Lansing Commercial Redevelopment District CRD-3-81 on the above described property; and

Be It Further Resolved that the development proposed for Lansing Commercial Redevelopment District CRD-3-81 include construction of on-site sewers with a restricted outlet to the Michigan Avenue combined sewer and no provision of access to Eureka Street.

Adopted by the following vote:

Unanimously.

By ECONOMIC DEVELOPMENT COMMITTEE—

Resolved by the City Council of the City of Lansing:

Whereas, by petition duly filed on March 4, 1981, this Council was petitioned to establish a Lansing Commercial Redevelopment District CRD-2-81, pursuant to Public Act 255 of 1978; and

Whereas, due notice has been given for a public hearing on said petition; and

Whereas, at such hearing held on the 26th day of May, 1981, all parties interested therein were heard and given due consideration; and

Whereas, the property involved is commonly known as Logan Center, more particularly described as:

Beginning at the South ¼ corner of Section 29, Town 4 North, Range 2 West, Ingham County, Michigan, said corner being on the centerline of Holmes Road, thence East along the South line of Section 29, 1162.1 feet, thence Northerly at right angles to the South line of Section 29, 207.54 feet to the centerline of Logan Street, thence Northerly along the centerline of Logan Street on the arc of a 0 degrees 46 minutes curve to the left, 323.95 feet, thence North 02 degrees 34 minutes 17 seconds West, 94.08 feet, thence West parallel to the South line of Section 29, 336.76 feet, thence North at right angles to the South line of Section 29, 250 feet, thence East parallel to the South line of Section 29, 322.06 feet to the centerline of Logan Street on the arc of a 0 degree 18 minute curve to the right, 121.72 feet, thence West parallel to the East and West ⅛ line of the Southeast ¼ of Section 29, 1344.58 feet to the East line of Giddings Subdivision, said subdivision line is the North and South ¼ line of Section 29, thence South along the said ¼ line 1140 feet to the point of beginning.

Petitioner: Robert E. Fryling, Inc., in association with Great Lakes Real Estate Trust.

Whereas, after considering all the testimony presented to this Council, this Council has determined that the proposed District is zoned for light industrial uses and has been so zoned for three years prior to the effective date of P.A. 255 and is characterized by obsolete commercial property and a decline in commercial activity;

Now, Therefore, Be It Resolved that the Council of the City of Lansing hereby establishes a Lansing Commercial Redevelopmnt District CRD-2-81 on the above described property.

Adopted by the following vote:

Unanimously.

By ECONOMIC DEVELOPMENT COMMITTEE—

RESOLUTION APPROVING PROJECT AREA, ESTABLISHING PROJECT DISTRICT AREA AND CONFIRMING APPOINTMENT OF ADDITIONAL DIRECTORS OF THE BOARD OF DIRECTORS OF THE ISSUER

(Jackson National Life Insurance Company Project)

Minutes of a regular meeting of the City Council of the City of Lansing, Michigan, held at 7:00 o'clock p.m., Michigan Time, on June 29, 1981, at which the following members were present: Councilmen Adado, Belen, Blair, Brenke, Gunther, McKane, Lindemann and Worthington; and the following were absent: none.

The following preamble and resolution were offered by Councilman Adado and supported by Councilman Blair:

Whereas, the Economic Development Corporations Act, Act No. 338 of the Michigan Public Acts of 1974, as amendel (the "Act"), recognizes that there exists in the State of Michigan the need for programs to alleviate and prevent conditions of unemployment, to assist and retain local industries and commercial enterprises, to encourage and assist the location and expansion of such enterprises to provide needed services and facilities to the City of Lansing and its residents; and

Whereas, the Act provides a means by which these needs may be addressed; and

Whereas, Jackson National Life Insurance Company, a Michigan corporation (the "Company") has proposed a project (the "Project") to The Economic Development Corporation of the City of Lansing (the "Issuer") which would assist in the alleviation of the aforementioned conditions; and

Whereas, the Issuer, in conformity with the Act, has designated a Project Area and Project District Area for its Project to this City Council for its approval thereof.

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Now, Therefore, Be It Resolved by this City Council of the City of Lansing, as follows:

1. The following Project Area, as designated by the Issuer, is hereby certified as approved:

All that certain lot, piece or parcel of land described as: Lot 43, Midway Industrial Center No. 2, a Subdivision of a part of Section 3, T3N, R2W, City of Lansing, Ingham County, Michigan, all according to the recorded plat thereof.

2. The territory surrounding said designated Project Area will not be significantly affected by the Project and, therefore, a Project District Area having the same description as the Project Area herein certified as approved is hereby established.

3. Pursuant to Section 20 (b) of the Act, a Project Citizens District Council is not required for the Project and therefore, such a Council shall not be formed.

4. This Council hereby advises and consents to the appointment by the chief executive officer of the City of Lansing of Michael Haley and Thomas Papiernik, Sr., as additional directors to the Board of Directors of the Issuer, pursuant to Section 4 (2) of the Act, said persons being representative of neighborhood residents and business interests likely to be affected by the Project.

5. The City Clerk is hereby directed to provide three (3) certified copies of this resolution to the Secretary of the Issuer.

Yeas: Councilmen Adado, Belen, Blair, Brenke, Gunther, Lindemann, McKane, Worthington.

Nays: None.

Abstentions: None.

Resolution declared adopted.

STATE OF MICHIGAN }
COUNTY OF INGAHM } ss.

I hereby certify that the foregoing is a true and complete copy of a resolution adopted at a regular meeting of the City Council of the City of Lansing, County of Ingham, Michigan, held on the 29th day of June, 1981, and that the said minutes are on file in the office of the City Clerk and are available to the public. Public notice of said meeting was given pursuant to and in compliance with Act No. 267, Public Acts of Michigan, 1976.

THEO FULTON,
Lansing City Clerk.

Adopted by the following vote:

Unanimously.

By COUNCILMEN LINDEMANN, WORTHINGTON, McKANE—

Resolved by the City Council of the City of Lansing:

Be It Resolved for the purposes of this policy the following terms shall be defined as follows:

"Automobile"—Shall mean all automobiles owned, leased, operated, or maintained by the City of Lansing, but shall not include the vehicle assigned to the Mayor and the vehicle assigned to the City Clerk.

"Total Automotive Cost"—Shall include all costs that the City incurs in the ownership and operation of a vehicle which is based on the most recently compiled annual City data of that automobile's costs.

"Work Miles"—Shall mean the total yearly mileage placed on the vehicle minus home to work mileage; and

Be It Further Resolved, that no automobile shall be provided on an ongoing daily basis unless one of the following exists:

A. The total automobile costs divided by the annual work miles does not exceed the current City mileage reimbursement rate.

B. The automobile contains equipment that is necessary for daily job performance and it is impractical for this equipment to be used in or transferred to a private vehicle.

C. When an automobile does not meet either of the above criteria, a person shall be eligible for reimbursement on their own vehicle on a per mile basis.

Be It Further Resolved, that City automobiles, pick-up trucks, and vans shall only be assigned to be driven home for overnight storage on a work related need in which one or more of the following exists:

A. The automobile, pick-up truck, or van is especially equipped so as to make its response necessary on a 24 hour basis, and is not duplicative of another vehicle capable of performing the same function.

B. The automobile, pick-up truck, or van is used for the performance of regularly scheduled City functions outside of the normal work hours when it is demonstrable that the use of a pool vehicle is impractical; and

Be It Further Resolved, that all automobiles shall be prominently marked with the City of Lansing logo, and shall have municipal license plates. Automobiles driven by (1) sworn Police Officers, (2) the Human Relations Director, and (3) the Emergency Services Director may be exempt from this vehicle marking policy; and

Be It Further Resolved, that a motor pool shall be established that is adequate to support City operations; and

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Be It Further Resolved, that persons who lose an assigned parking space in the City Hall basement as a result of this policy shall be provided a parking space near their work location by the City of Lansing; and

Be It Finally Resolved, that this policy shall be implemented on January 1, 1982, for a six month trial period ending on June 30, 1982, by which time the Mayor and Council will have evaluated the system through the normal budgetary process for the next fiscal year.

By COUNCILMAN WORTHINGTON—

That the resolution be amended as follows:

After the 5th paragraph add the following:

Be It Further Resolved, the passage or implementation of this policy shall not negate or abridge any existing collective bargaining agreement with the City. Notification of this action and any proposed administrative order to implement this action shall be sent to the representatives for the affected unions. If necessary the City shall enter into good faith bargaining with the affected union(s) in a timely manner. Copies of this action and any subsequent proposed administrative order to implement this action shall be posted in conspicuous places, including all locations where notification to employees is customarily posted.

Carried.

By COUNCILMAN WORTHINGTON—

That the "Be It Finally Resolved" paragraph be amended to read:

"Be It Further Resolved, that the policy shall be implemented on or before January 1, 1982; and"

Carried.

By COUNCILMAN ADADO—

That the resolution be further amended as follows:

That the 7th paragraph be changed to read as follows:

Be It Further Resolved, that persons who lose an assigned parking space in the City Hall Basement as a result of this policy shall be provided the privileges as granted other employees by the City of Lansing.

Lost by the following vote:

Yeas: Councilmen Adado, Brenke, Worthington—3.

Nays: Councilmen Belen, Blair, Gunther, Lindemann, McKane—5.

By COUNCILMAN WORTHINGTON—

That the resolution be further amended by adding the following:

Be It Finally Resolved, that with the passage of this policy the grounding of all City vehicles as called for on July 1, 1981, per the 1981-82 City budget is hereby rescinded.

Adopted by the following vote:

Yeas: Councilmen Belen, Blair, Gunther, Lindemann, Worthington—5.

Nays: Councilmen Adado, Brenke, McKane—3.

The resolution as amended was adopted by the following vote:

Yeas: Councilmen Adado, Belen, Blair, Gunther ,Lindemann, McKane, Worthington—7.

Nays: Councilman Brenke—1.

## PUBLIC IMPROVEMENT V

By COUNCILMAN ADADO—

Resolved by the City Council of the City of Lansing:

That the supplementary special assessment roll for the purpose of demolishing a residential building as per City Council of February 16, 1981:
Assessment Roll No. 42-K

Location—(Was) 139 Isbell Street

as returned by the City Assessor be and the same is hereby ratified and confirmed, and that the Mayor be and hereby is directed to affix within ten days, his warrant directing the City Treasurer to refund to all persons who have paid said tax as originally assessed the pro rata amount of difference as shown in said supplementary roll, and collect all unpaid tax as shown on said roll on or before September 29, 1981.

Adopted by the following vote:

Unanimously.

## ZONINGS

By COUNCILMAN WORTHINGTON—

Whereas, by petition duly filed on the 2nd day of March, 1981, this Council was petitioned to change the following described property from "C" Two Family Residential District to "F" Commercial District, all as set forth in the Zoning Code of this City, and

Whereas, due notice as required by law has been given for a public hearing on said petition, and

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Whereas, at such hearing held on the 1st day of June, 1981, all parties interested therein were heard and given due consideration, and

Whereas, the property involved is described as:

Z-8-81—801 S. Hosmer Street
3301-22-102-001

more particularly described as:

That part of the west 15 feet of Lot 3, which lies north of a line described as: beginning at a point on the west line of said Lot 3, which is 45 feet south of the northwest corner of said Lot 3, thence easterly to a point on the east line of said Lot 3, which is 42.5 feet south of the northeast corner of said Lot 3; all in Block 1, plat of Manufacturer's Addition No. 1, City of Lansing, Ingham County, Michigan;

from "C" Two Family Residential District to "F" Commercial District.

Whereas, pursuant to Act 207, Public Acts of 1921 as amended, the Planning Board recommended that the request to rezone the above described property from "C" Two Family Residential District to "F" Commercial District be denied;

Whereas, the Physical Development Committee of City Council has reviewed the report of the Planning Board and does not concur therewith, but recommends that the east 12 feet of the above described property be rezoned from "C" Two Family Residential District to "J" Parking District and the balance of the above described property be rezoned from "C" Two Family Residential District to "F" Commercial District;

Now, Therefore, Be It Resolved that the Council of the City of Lansing ordains that the request to rezone the above described property from "C" Two Family Residential District to "F" Commercial District be denied; and

Be It Further Resolved that the east twelve (12) feet of the above described property be rezoned from "C" Two Family Residential District to "J" Parking District and the balance of the above described property be rezoned from "C" Two Family Residential District to "F" Commercial District; and

Be It Finally Resolved that the City Clerk be, and she is hereby, directed to notify the petitioner of this action.

Adopted by the following vote:

Unanimously.

By COMMITTEE OF THE WHOLE—

Resolved by the City Council of the City of Lansing:

That the following transfer be approved:

(FISCAL YEAR—1982)

$18,750.00 from Mall Maint.—Wages—Hourly
A/C 101-718-101-706

500.00 from Mall Maint.—Overtime—Hourly
A/C 101-718-101-709

5,360.00 from Mall Maint.—Misc. & Op. Expenses
A/C 101-718-101-741

450.00 from Mall Maint.—Gasoline
A/C 101-718-101-751

16,100.00 from Mall Maint.—Equipment
A/C 101-718-101-977

20,536.00 from Reserve for Contingency
A/C 101-941-000-963

$61,696.00 to Mall Maintenance—Professional Services
A/C 101-718-101-801

I hereby certify that this is a properly drawn and eligible transfer.

JAMES W. DOWSETT,
Finance Director.

Adopted by the following vote:

Yeas: Councilmen Adado, Belen, Blair, Brenke, Gunther, Lindemann, McKane, Worthington—7.

Nays: Councilman Lindemann—1.

By WAYS AND MEANS COMMITTEE—

Resolved by the City Council of the City of Lansing:

That the following transfers be approved:

$5,000.00 from Wages—Hourly
A/C 203-470-000-706

3,425.00 from Fringe Benefits—Utility Pavement Cuts
A/C 203-470-000-715

$5,000.00 to Wages—Hourly
A/C 203-477-000-706

3,425.00 to Fringe Benefits—Signals & Signs
A/C 203-477-000-715

$5,275.00 from General Fund Fund Balance
A/C 101-000-000-390

5,275.00 from District Court Estimated Revenues
A/C 760-136-000-160

$5,275.00 to District Court Expenditures
A/C 101-136-000-700

5,275.00 to District Court Operating Supplies
A/C 760-136-000-740

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$14,000.00 from Police Helicopter Fuel
A/C 101-316-023-751

3,900.00 from Police Central Records Repair & Maintenance
A/C 101-308-000-930

$17,900.00 to Police Central Records Equipment
A/C 101-308-000-977

$ 2,500.00 from Wages—Hourly
A/C 202-475-000-706

3,150.00 from Fringe Benefits—Traffic Services—Pavement Markings
A/C 202-475-000-715

$ 2,500.00 to Wages—Hourly
A/C 202-477-000-706

3,150.00 to Fringe Benefits—Signals & Signs
A/C 202-477-000-715

(FISCAL YEAR 1982)

$ 6,942.00 from Estimated Revenues
A/C 585-000-000-160

$ 2,720.00 to Wages—Hourly
A/C 585-570-428-706

1,200.00 to Wages—Temp. Help
A/C 585-570-428-707

1,260.00 to Fringe Benefits
A/C 585-570-428-715

252.00 to Supplies
A/C 585-570-428-740

100.00 to Utilities
A/C 585-570-428-920

1,070.00 to Admin. Charge
A/C 585-536-000-802

160.00 to Supplies
A/C 585-570-437-740

180.00 to Utilities
A/C 585-570-437-920

$ 900.00 from Supplies—Adm. & General
A/C 585-536-000-740

$ 650.00 to Ramp No. 3—219 N. Grand
A/C 585-571-453-740

250.00 to Supplies—Ramp No. 4—300 N. Capitol
A/C 585-571-454-740

I hereby certify that this is a properly drawn and eligible transfer.

JAMES W. DOWSETT,
Finance Director.

Approved:

TERRY J. McKANE,
WILLIAM A. BRENKE,
JACK D. GUNTHER,
Ways and Mean Committee.

Adopted by the following vote:

Unanimously.

By WAYS AND MEANS COMMITTEE—

Resolved by the City Council of the City of Lansing:

(FISCAL YEAR 1982)

That the following transfers be approved:

$5,250.00 from District Court Operating Supplies
A/C 760-136-000-740

$5,275.00 to District Court Estimated Revenue
A/C 760-136-000-160

$5,275.00 from District Court Expenditures
A/C 101-136-000-700

$5,275.00 to General Fund Fund Balance
A/C 101-000-000-390

I hereby certify that this is a properly drawn and eligible transfer.

JAN LAZAR,
Budget Director.

Approved:

TERRY J. McKANE,
WILLIAM A. BRENKE,
JACK D. GUNTHER,
Ways and Means Committee.

Adopted by the following vote:

Unanimously.

## ORDINANCES

By COUNCILMAN WORTHINGTON—

The Committee reported that it had considered ordinances providing that the Code of Ordinances, City of Lansing, Michigan, be amended by adding a new section to be numbered 36-116.11 to provide for an amendment to the amended Physical Development Plan for NDA No. 3 within the City of Lansing for the acquisition of properties at 1403, 1405, 1407, 1411, 1413, 1501, 1505, 1507, 1515, 1517 and 1525 Ballard Street.

Establishing Chapter 27B to consist of Sections 27B-1 through 27B-7, inclusive, to be entitled "Principal Shopping Center Special Assessments" and to provide for the improvement and maintenance of Lansing's Downtown Shopping Area and for specially assessing the cost thereof against properties benefiting thereby.
and recommended that the ordinances be passed.

Carried.

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ORDINANCE NO. 599

By COUNCILMAN WORTHINGTON—

Resolved by the City Council of the City of Lansing, that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by adding a new section to be numbered 36-116.11 to provide for an amendment to the amended Physical Development Plan for NDA No. 3 within the City of Lansing for the acquisition of properties at 1403, 1405, 1407, 1411, 1413, 1501, 1505, 1507, 1515, 1517, 1525 Ballard Street be placed on order of immediate passage.

Carried.

By COUNCILMAN WORTHINGTON—

Resolved by the City Council of the City of Lansing, that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by adding a new section to be numbered 36-116.11 to provide for an amendment to the amended Physical Development Plan for NDA No. 3 within the Cit yof Lansing for the acquisition of properties at 1403, 1405, 1407, 1411, 1413, 1501, 1505, 1507, 1515, 1517, 1525 Ballard Street be now passed.

Adopted by the following vote:

Unanimously.

ORDINANCE NO. 599

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, PROVIDING THAT CHAPTER 36, ARTICLE XIV OF THE CODE OF ORDINANCES, CITY OF LANSING, MICHIGAN, BE AMENDED BY ADDING A NEW SECTION TO BE NUMBERED 36-116.11 TO PROVIDE FOR AN AMENDMENT TO THE AMENDED PHYSICAL DEVELOPMENT PLAN FOR NEIGHBORHOOD DEVELOPMENT AREA NO. 3 WITHIN THE CITY OF LANSING.

The City of Lansing Ordains:

Section 1. That Chapter 36, Article XIV of the City of Lansing, Michigan, be amened by adding a new section to be numbered to read as follows:

Sec. 36.116.11. **Amendment to the Plan Established.**

The Physical Development Plan referred to in Section 36-116 is hereby modified by incorporating the following pursuant to Section 36-121.

The **inclusion** of 11 structures in the acquisition program under the section "Physical Condition." The structures are located at 1403 Ballard, 1405 Ballard, 1407 Ballard, 1411 Ballard, 1413 Ballard, 1501 Ballard, 1505 Ballard, 1507 Ballard, 1515 Ballard, 1517 Ballard, 1525 Ballard.

The **deletion** of those structures from the Housing Rehabilitation lists and the modification of maps to reflect the changes detailed above.

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance shall take effect thirty (30) days from its passage unless given immediate effect by the City Council.

ORDINANCE NO. 600

By COUNCILMAN LINDEMANN—

Resolved by the City Council of the City of Lansing, that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by establishing Chapter 27B to consist of Sections 27B-1 through 27B-7, inclusive, to be entitled "Principal Shopping Center Special Assessments" and to provide for the improvement and maintenance of Lansing's Downtown Shopping Area and for specially assessing the cost thereof against properties benefiting thereby, be placed on order of immediate passage.

Carried.

By COUNCILMAN LINDEMANN—

Resolved by the City Council of the City of Lansing, that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by establishing Chapter 27B to consist of Sections 27B-1 through 27B-7, inclusive, to be entitled "Principal Shopping Center Special Assessments" and to provide for the improvement and maintenance of Lansing's Downtown Shopping Area and for specially assessing the cost thereof against properties benefiting thereby, be now passed.

Adopted by the following vote:

Yeas: Councilmen Adado, Belen, Blair, Brenke, Gunther, McKane, Worthington—7.

Nays: Councilman Lindemann—1.

ORDINANCE NO. 600

AN ORDINANCE TO AMEND THE LANSING CODE OF ORDINANCES BY ESTABLISHING CHAPTER 27B TO CONSIST OF SECTIONS 27B-1 THROUGH 27B-7 INCLUSIVE, TO BE ENTITLED "PRINCIPAL SHOPPING CENTER SPECIAL ASSESSMENTS" AND TO PROVIDE FOR THE IMPROVEMENT AND MAINTENANCE OF LANSING'S DOWNTOWN SHOPPING AREA AND FOR SPECIALLY ASSESSING THE COST THEREOF AGAINST PROPERTIES BENEFITING THEREBY.

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Section 1. The City Council hereby amends the Code of Ordinances of the City of Lansing by the addition of Chapter 27B to read as follows:

Sec. 27B-1. **Principal Shopping Center Special Assessments.**

The City Council shall have the power in accordance with the provisions of the City Charter and pursuant to Act No. 120 of the Public Acts of 1961 as may be hereafter amended, to provide for the redevelopment of its downtown shopping area for the maintenance of public improvements and facilities in connection therewith and, where such redevelopment and/or maintenance especially benefit any property or properties within a district, the City Council shall have the power to determine, by resolution, that the whole or any part of the expense of such redevelopment or maintenance shall be defrayed by special assessment upon the real property in districts especially benefited, in proportion to the benefits derived or to be derived.

Sec. 27B-2. **Same—Initiation of Assessment.**

Initiation of public improvements or maintenance and special assessments therefor under this chapter may be by resolution of City Council. Such resolution shall set forth the extent, location and character of any desired improvements and/or maintenance services to be provided and shall designate a district which shall contain all real property which the City Council determines will be especially benefited by such improvements and/or maintenance. The district may be formed of territory not included on the immediately fronting streets or malls. In such case diagrams of the plats of such special assessment districts shall be recorded in the office of the Public Service Director.

Sec. 27B-3. **Same—Apportionment.**

Whenever the City Council determines that the whole or any part of the expense of any public improvement, maintenance or service is to be defrayed by special assessment upon the property especially menefited thereby, it shall after determining the estimated expense of such improvement, maintenance or service, declare by resolution that all, or a specified portion of that expense shall be assessed upon the properties contained in the assessment district. The cost and expenses of making estimates, plans and assessment incidental thereto may be included in the estimated expense of the assessment.

Sec. 27B-4. **Same—Assessing Costs. Returning Roll.**

Pursuant to the resolutions of the City Council establishing an assessment district, an estimated amount to be assessed and the proportion of the amount to be assessed, the City Assessor shall make an assessment on all real property within the special assessment district. Such assessment shall be in proportion to the especial benefit of such improvements, services and maintenance to the real property assessed and may be made without reference to any improvements or buildings upon the land within the special assessment district. The assessor shall make out an assessment roll in which shall be entered the names of persons and the description of the property to be assessed to each person and parcel of property respectively. In the event any parcel of real property belongs to a nonresident or the owner or owners are unknown, the same shall be entered accordingly with the description of the parcel of property. The assessment roll shall be subscribed by the assessor and returned to City Council within two weeks or by such other time as City Council may designate by resolution.

Sec. 27B-5. **Same—Notice and Hearing.**

Upon return of the roll being made, the City Clerk shall cause notice of a confirmation hearing on said roll to be given in accordance with Section 28-17 of this code. A confirmation hearing shall then be held in accordance with the provisions of Section 28-18 of this Code. Confirmation of the special assessment roll shall require the affirmative vote of a majority of City Council unless written objection to the proposed special assessment has been filed by owners of property within the special assessment district which according to estimates will hear more than 50% of the amount of the special assessment, in which case the affirmative vote of 2/3 of the members of Lansing City Council is required. The special assessments, once confirmed by City Council, shall be final and conclusive.

Sec. 27B-6. **Same—Collection.**

Following the confirmation of a special assessment and roll, the Mayor shall immediately affix his warrant for the collection of the assessment to the roll. The warrant shall direct the City Treasurer to collect the assessment forthwith on the basis of the information provided him by the City Assessor. Such assessment and tax roll, with warrant attached, shall be delivered to the Treasurer immediately after the warrant is attached to the roll. Such assessments shall be due and payable immediately upon receipt by the Treasurer of the assessment roll with mayoral warrant affixed. In the event such a special assessment against any parcel of real property is outstanding and has not been paid in full at the time the City collects property taxes, such special assessments shall be considered delinquent and shall be placed upon the tax roll together with any accrued fees thereon to be collected in all respects as are City taxes and to be subject to such penalties and interest for late payment as are City taxes. Such special assessments shall become a lien on the property assessed at the time the special assessment roll is confirmed.

Sec. 27B-7. **Same—Over or Under Assessment.**

In the event the amount specially assessed and collected for the purpose of providing

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maintenance and other services in the principal shopping center for a given time period proves insufficient, the City may include the amount of such shortfall proportionately in its special assessments upon the same parcels of property for the same maintenance and services for the next succeeding time period or, in the event the amount specially assessed and collected exceeds the actual expense of providing the maintenance and services during the time period for which it was assessed, the excess shall be credited against the amounts to be specially assessed for the same maintenance and services upon the same properties for the next succeeding time period or, if no such special assessment and no such maintenance or services are anticipated for that time period, the excess shall be refunded to the owners of the property assessed in proportion to their original special assessments.

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance shall take effect thirty (30) days from the date of its passage unless given immediate effect by the City Council.

## PUBLIC IMPROVEMENT IV

By COMMITTEE ON PUBLIC PROPERTIES AND SAFETY—

Resolved by the City Council of the City of Lansing:

That the special assessment roll for Maintenance of the Washington Mall and Environs described as follows:

Assessment Roll No. WM-81—

Property Benefited: Beginning at the intersection of N. Capitol and W. Shiawassee, E. on Shiawassee (S. side only) to N. Grand Avenue, S. on Grand Avenue (both sides) to Lenawee Street, W. on Lenawee (N. side only) to S. Capitol Avenue, N. on Capitol Avenue (both sides—exclude Reutter Park) to W. Allegan and on Capitol Avenue (E. side only) N. to point of beginning; also Washington Square from Shiawasse (both sides) S. to Lenawee Street; also the following East and West Streets from Capitol Avenue to Grand Avenue (both sides): Ionia, Ottawa, Michigan Avenue, Allegan, Washtenaw and Kalamazoo.

as returned by the City Assessor be and the same is hereby ratified and confirmed, and the Mayor be and hereby is directed to affix within ten days, his warrant directing the City Treasurer to collect said tax on or before the 29th day of September, 1981.

Adopted by the following vote:

Yeas: Councilmen Adado, Belen, Blair, Brenke, Gunther, McKane, Worthington—7.

Nays: Councilman Lindemann—1.

By COUNCILMEN GUNTHER, McKANE, WORTHINGTON—

Resolved by the City Council of the City of Lansing:

That the rules of the Council be waived for the purpose of presenting items that are not listed on the agenda.

Carried.

## REPORT OF COMMITTEE

The COMMITTEE OF THE WHOLE, to whom was referred the bid results on the City Council's video equipment purchase, reports as follows:

The Committee concurs with the staff recommendation to accept the second low bid. Low bidder ($13,951.57) is an Oak Park firm that would not guarantee service response within requested time limits. Second low bidder ($14,339.40) is an East Lansing firm which guaranteed service response within specified time limits, had the lowest per-hour service rate, and has serviced the City well in all past dealings. Some of the funds ($5,750) for this purchase were provided by a grant from Continental Cablevision, and the second low bidder is Continental's first choice among video equipment vendors. The $387.83 difference in bids will be offset somewhat by the lower service rate offered by second low bidder.

Signed:

LUCILE BELEN,
JAMES D. BLAIR,
WILLIAM A. BRENKE,
SIDNEY P. WORTHINGTON,
LOUIS F. ADADO,
JACK D. GUNTHER,
TERRY J. McKANE,
PAT LINDEMANN,
Committee of the Whole.

By COUNCILMAN GUNTHER—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

By COUNCILMAN GUNTHER—

Resolved by the City Council of the City of Lansing:

Whereas, the Fourth of July Independence Celebration in this country has always symbolized our continued belief in our democratic system of government; and

Whereas, the very essence of American democracy is the election of representatives to serve the electorate in public office; and

Whereas, it has come to the attention

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of the Council political advertising and campaigning would not be allowed in the 4th of July parade to be held here on Saturday;

Now, Therefore, Be It Resolved, the City Council of the City of Lansing in view of the true meaning and tradition of this national holiday hereby declares it the policy of this City to allow political advertisement and campaigning in the 4th of July parade.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON WAYS AND MEANS—

Resolved by the City Council of the City of Lansing:

That the balance requested, or the remaining unexpended balance, as indicated in the following accounts at June 30, 1981, be re-appropriated and brought forward to the indicated accounts in the 1981-82 budget year:

PUBLIC SERVICE DEPARTMENT

| | | Estimated Amount |
|---|---|---|
| Account No. 585-571-452-931 Bldg. Maint., Ramp No. 2 | | $ 2,775 |
| Account No. 585-570-425-977 Equip., Lots No. 25, 26 & 27 | (Max.) | 48,636 |
| Account No. 585-571-452-977 Equipment, Ramp No. 2 | (Max.) | 37,689 |
| Account No. 585-547-000-740 Operating Supplies | | 242 |
| Account No. 101-936-107-974 1980 Black Top | | 4,755 |
| Account No. 101-437-000-977 Equipment—Traffic | (Max.) | 3,800 |
| Account No. 590-536-000-977 Equipment—Sewage System | (Max.) | 22,000 |

Adopted by the following vote:

Unanimously.

By COUNCILMAN WORTHINGTON—

Resolved by the City Council of the City of Lansing:

Whereas, by petition duly filed on the 29th day of January, 1981, this Council was petitioned to vacate to the Lansing School District and to change the following described property from "Unzoned" (Public Right-of-Way) to "J" Parking District, all as set forth in the Zoning Code of this City; and

Whereas, due notice as required by law has been given for a public hearing on said petition; and

Whereas, at such hearing held on the 17th day of February, 1981, all parties interested therein were heard and given due consideration; and

Whereas, the property involved is described as:

Z-2-81 and Act-1-81—
1500 block of Woodlawn Avenue

more particularly described as:

The street right-of-way of Woodlawn Avenue lying between the north right-of-way of Moores River Drive and the south right-of-way line of the east/west portion of Woodlawn Avenue; and

Whereas, the Physical Development Plan for Neighborhood Development Area No. 4 (NDA No. 4) calls for creating a cul-de-sac at the western end of Woodlawn Avenue in order to reduce cut-through vehicular traffic in the neighborhood, to reduce the speed and volume of traffic on Woodlawn Avenue, and to promote the safety of children in the area going to and from Moores Park School, Moores Park Pool, and Moores Park; and

Whereas, the above-mentioned Plan for NDA No. 4 also calls for vacating the north/south portoin of Woodlawn Avenue to provide additional parking for Moores Park School employees as well as for Moores Park and Moores Park Pool patrons; and

Whereas, these proposals have been discussed at public metings in the negihborhood; and

Whereas, the Citizens' District Council for NDA No. 4 has recommended that the proposals be implemented; and

Whereas, the above-mentioned Plan was adopted by the City Council on October 27, 1980, as Ordinance No. 582 following a public hearing held in accord with Michigan Act No. 344 of the Public Acts of 1945, as amended; and

Whereas, the proposed use of the property is in accord with the recommendation of the Southwest Master Plan; and

Whereas, the Planning Board, at their meting of February 17, 1981, recommended that the petition be approved; and

Whereas, the Physical Devlopment Committee of the Council to whom the report of the Planning Board was referred, has reviewed this petition and forwarded it to the City Council;

Now, Therfore, Be It Resolved that the Council of the City of Lansing approves the petition to vacate to the Lansing School District and to rezone twhe above described premises from "Unzoned" (Public Right-of Way) District to "J" Parking District;

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SUBJECT TO THE FOLLOWING PROVISIONS:

The east/west portion of Woodlawn Avenue will terminate on the west with a cul-de-sac large enough to allow access to residential development in the area and to provide adequate turn around space for emergency vehicles and for City snowplowing and trash-hauling vehicles.

Parking on the cul-de-sac will be prohibited.

An emrgency access way will connect the proposed parking lot with the east/west portion of Woodlawn Avenue.

The proposed parking area will be made available for use by Moores Park and Moores Park Pool patrons during the daytime when school is not in session.

Be It Finally Resolved that the City Clerk is hereby authorized and directed to record a certified copy of this resolution with the Register of Deeds, and shall also send a copy of the recorded resolution to the State Treasurer.

Adopted by the following vote:

Yeas: Councilmen Adado, Bejen, Blair, Gunther, Lindemann, McKane, Worthington—7.

Nays: Councilman Brenke—1.

## REMARKS OF THE MAYOR'S EXECUTIVE ASSISTANT

No remarks.

## REMARKS BY THE CITY COUNCIL

Councilman Adado announced the Planning Board meeting would be televised July 7th on Channel 28.

Mr. Michael Cole, 3424 Brae Burn Drive, spoke relative to Coach Light Commons.

By COUNCILMAN BLAIR—

That the Public Service Department or Park Department provide some equipment to help the residents of Coach Light Commons pick up the debris.

Carried.

Referred to Mayor's office.

Thomas Walsh spoke again.

Rev. J. A. West spoke.

By COUNCILMAN ADADO—

That the meeting stand adjourned.

Carried.

Council adjourned at 10:40 p.m.

THEO FULTON,
City Clerk.

Lansing, Michigan
June 29, 1981

F/B

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CITY CLERK'S OFFICE
Room 921, City Hall
Lansing, Michigan 48933

Address Correction Requested

BULK RATE
U. S. POSTAGE
PAID
Permit No. 1461
Lansing, Michigan



# OFFICIAL PROCEEDINGS OF THE CITY COUNCIL OF THE CITY OF LANSING

## Proceedings, July 6, 1981

CITY COUNCIL ROOMS

Lansing, Michigan

July 6, 1981

The City Council of the City of Lansing, Michigan, met in regular session and was called to order by President Belen.

Present: Councilmen Adado, Belen, Blair, Brenke, Gunther, Lindemann, McKane, Worthington—8.

Absent: None.

The Clerk announced that a quorum of the Council was present.

Invocation was given by Councilman Gunther.

Pledge of Allegiance was led by Councilman Gunther.

### REVIEWING ASSESSMENT ROLLS

### NO. 282

This is the time set for hearing appeals on the special assessment roll for construction of a storm sewer on Newark Avenue from Pleasant Grove Road westerly to the West property line of 3001 Newark Avenue.

No appeals.

This is the time set for hearing appeals on the special assessment roll for storm and sanitary sewer on Curry Lane from Kaynorth St. to the west end of the street.

Chalmer Jehner, 1308 Warwick Dr., owner of property on Curry Lane, asked how assessment was determined.

Referred to Committee on Physical Development.

**THE PUBLIC MAY NOW ADDRESS THE CITY COUNCIL ON ANY OF THE FOLLOWING ITEMS LISTED ON THE AGENDA: COMMUNICATIONS AND PETITIONS, COMMITTEE REPORTS, REPORTS OF CITY OFFICERS AND BOARDS, AND RES-**

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**OLUTIONS. YOU MAY SPEAK ONLY FOR 3 MINUTES ON ANY ONE ITEM.**

No person spoke.

**COMMUNICATIONS AND PETITIONS**

The following applications and bonds have been filed for licenses:

WRECKER LICENSE —
Jerry's Automotive.

PEDDLER'S LICENSE —
Bjork Promotion Co., Inc.

SECONDHAND STORE —
Curlies Second Hand.

BUILDING MOVER —
Williams Movers.

SIGN ERECTOR —
Fritz Advertising Co., Inc.

RUBBISH HAULER —
Mitchell Frankovich, Edward J. Ward II

Referred to Committee on General Services.

Summons filed in Circuit Court by:

Timothy A. Dingley vs Joseph A. Mezzano, Robert O. Cross, Ken Donovan (Police Officers) and the City of Lansing for injuries sustained during arrest.

Charles E. Wray vs City of Lansing for injuries sustained due to fall on a raised sidewalk at 1801 Forbes St.

Referred to Mayor, City Attorney.

Claims filed by:

Douglas Sigourney for injuries sustained due to protruding nails on a bench at the Waverly Golf Course.

Donna Wyant for damage to automobile after hitting a edge of a manhole cover.

Brady Brook for damage to automobile due to accident with a city vehicle.

Referred to Mayor, City Attorney.

Petitions filed with State of Michigan—

Department of Treasury—Tax Tribunal in regard to assessments for property at:

Emile T. and Evelyn M. Nakhleh — 120 East Madison Avenue.

Gould Investment Trust—930 W. Holmes Road.

A. H. & Williams Gershenson Trusts — K Mart.

Motor Wheel Corporation—725 East Saginaw St.

Referred to Mayor, City Attorney, City Assessor.

Requests filed for block parties:

Nancy J. Terbeck — 1500 block Clifton St. — July 10, 1981.

Wexford Heights Neighborhood Association — Penrose Dr. — July 18, 1981.

Referred to Mayor.

Letters from Michigan Municipal League in regard to:

Michigan Municipal League's Annual Convention — September 9-11, 1981.

Designation of voting delegates for City of Lansing.

Referred to Mayor, Committee of the Whole.

Michigan Bell Telephone Co. submits request from Mr. Corr of Frandorson Management Corporation to vacate the utilities easement on Stonewood Dr.

Referred to Mayor, Committee on Physical Development.

Notice from YWCA of a 5-mile run to be held August 1, 1981.

Referred to Mayor.

Letter from Baryames Drive-In Cleaners in regard to proposed bus depot.

Referred to Mayor, Committee on Public Properties and Safety.

Letters from the Water Quality Division of State of Michigan in regard to:

Copy of letter sent to Mr. Ray Smit of McNamee, Porter and Seeley in regard to preliminary SSES Report.

Copy of letter sent to Lindell Drop Forge Co. in regard to NPDES permit to discharge to waters of the state.

Received and placed on file.

Notice of hearing from State of Michigan — before the Michigan Public Service Commission in matter of proceedings on

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Consumers Power Company's 1980 System Availability incentive provision.

Received and placed on file.

Letter from Doris Wilcox in regard to noise ordinance.

Referred to Mayor.

## MAYOR'S EXECUTIVE ASSISTANT COMMENTS ON ANY ITEM ON THE AGENDA

No comment.

## REPORT OF COMMITTEE

The COMMITTEE ON GENERAL SERVICES approves the following applications and bonds for licenses:

WRECKER LICENSE —
Jerry's Automotive.

PEDDLER'S LICENSE —
Bjork Promotion Co., Inc.

SECONDHAND STORE —
Curlies Second Hand.

BUILDING MOVER —
Williams Movers.

SIGN ERECTOR —
Fritz Advertising Co., Inc.

RUBBISH HAULER —
Mitchell Frankovich, Edward J. Ward II.

Signed:

WILLIAM A. BRENKE,
PAT LINDEMANN,
TERRY J. McKANE,
Committee on General Services.

By COUNCILMAN BRENKE—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

## REPORTS OF CITY OFFICERS AND BOARDS

June 28, 1981

Honorable Mayor and
Members of City Council:

The Lansing Planning Board will hold a public hearing on Tuesday, July 7, 1981 at 7:30 p.m. in City Council Chambers, on the Tenth (10) Floor of City Hall, Lansing, Michigan to consider a request by George (Bud) Mills to lease for twenty-five (25) years and develop property commonly known as the Aurelius Road Landfill Site from the City of Lansing. This property is located on the east side of Aurelius Road, between Jolly and Miller roads. This is not a matter or rezoning.

The applicant proposes to develop a sports complex on the landfill site, including facilities for eight (8) lighted softball diamonds, four (4) soccer fields, two (2) football fileds, a restaurant/concession stand, rest rooms and locker rooms. Primary access would be from Aurelius Road. Parking for approximately 1,200 vehicles would be provided.

Written comments will be accepted by the City of Lansing Planning Department, 119 North Washington Square, Lansing, Michigan 48933. Comments will also be accepted at the public hearing. For additional information please contact Eleanor Love or me at the Planning Department at 487-1400, Monday through Friday between the hours of 8 a.m. and 5 p.m.

Sincerely,

ALAN E. TUBBS,
Director,
Lansing Planning Department.

Received and placed on file.

DATE: 7/1/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Director of Building Safety and Development. Re: Trash Removal Assessment.

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

By COUNCILMAN LINDEMANN—

That we concur in the recommendation of the Mayor and the assessment be placed on the December tax rolls.

Carried.

DATE: 7/1/81

TO: Council President and Members of the Lansing City Council

FROM: Gerald W. Graves, Mayor

SUBJECT: Attached correspondence from Stanley M. Kasuda, Chairperson, Citizens' District Council No. 1.

The attached correspondence from the above-mentioned regarding acquisition and demolition of 1404 W. Kalamazoo is submitted to you for your action.

GERALD W. GRAVES,
Mayor.

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Referred to Committee on Physical Development.

DATE: 6/30/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Assistant Director of Public Service. Re: Request to vacate five (5) foot utility easement along the south side of 5808 Oak Knoll Drive.

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Physical Development.

DATE: 6/30/81

TO: Hon. Council President and Members of City Council

FROM: Gerald W. Graves, Mayor

SUBJECT: Correspondence from Ingham County Board of Commissioners

The attached correspondence from the Ingham County Board of Commissioners calls for a policy decision regarding the issuance of a special use permit for the continuation and expansion of the Granger Landfill. It is submitted to you for your consideration.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Physical Development.

July 1, 1981

Council President Lucile Belen and
Members of the Lansing City Council

10th Floor, City Hall

Lansing, Michigan 48933

Dear Council President and Members:

I am in concurrence with the attached recommendation from the Planning Board regarding the sale of vacant parcels adjacent to Woodman Road with the exception that I cannot agree to earmark proceeds from this sale for specific projects. With the City of Lansing facing continued, disappointing economic news and a worsening financial picture, it is inappropriate to earmark any specific revenues for these projects. I understand citizen concerns for various neighborhood improvements, but I feel that these improvements must be considered as part of the City's total budget process.

I recommend you act on the sale of property with proceeds to go to the General Fund.

Sincerely,

GERALD W. GRAVES,
Mayor.

Referred to Committee on Public Property and Safety.

DATE: 7/1/81

TO: Council President and Members of the Lansing City Council

FROM: Gerald W. Graves, Mayor

SUBJECT: Attached correspondence from the Lansing Police Department.

The attached correspondence from the Lansing Police Department regarding Logan Street — Mt. Hope Avenue — Boston Blvd. is submitted to you for your information. The matter has been referred back to the Traffic Board for consideration at the Board's July meeting.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Public Property and Safety.

DATE: 7/1/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Public Service Director. Re: Latex Surfacing — I-496 Bridge Decks — Night Work.

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

By COUNCILMAN WORTHINGTON—

That we concur in the recommendation of the Mayor and said request be granted.

Carried.

DATE: 7/1/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Planning Director. Re: ACT-28-81—Vacation of East Street.

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

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Referred to Committee on Public Property and Safety.

DATE: 7/1/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Planning Director. Re: Update and disposal of several alley and street rights-of-way located in the area between Willow and Glenn streets.

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Public Property and Safety.

DATE: 7/1/81

TO: City Council President and Members of the Lansing City Council

FROM: Gerald W. Graves, Mayor

SUBJECT: Attached correspondence from hte Public Service Director.

The attached correspondence from the Public Service Director regarding the Orchard Glen Avenue storm sewer petition is submitted to you for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Physical Development.

DATE: 7/1/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Director of Building, Safety and Development. Re: Request for Public Hearing—Demolition—2001 Turner.

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

By COUNCILMAN LINDEMANN—

That we concur in the recommendation of the Mayor and said public hearing be set for July 20, 1981.

Carried.

DATE: 7/1/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Director of Building, Safety and Development. Re: Request for Public Hearing—Demoliiton—816 N. Pennsylvania.

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

By COUNCILMAN LINDEMANN—

That we concur in the recommendation of the Mayor and said public hearing be set for July 20, 1981.

Carried.

DATE: 7/1/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Director, Building, Safety and Development. Re: Request for Public Hearing — Demolition — 525 E. Michigan Avenue.

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

By COUNCILMAN LINDEMANN—

That we concur in the recommendation of the Mayor and said public hearing be set for July 20, 1981.

Carried.

July 1, 1981

Council President Lucile Belen and
Members of the Lansing City Council

10th Floor, City Hall

Lansing, Michigan 48933

Dear Council President and Members:

The attached is forwarded to you for your information at this time. It deals with the proposal of Dart Oil & Gas Corporation to construct a fourteen story office facility to be used as their corporate headquarters and for firms in related fields. Additional proposed uses include a restaurant and retail sales facilities, approximately five levels of residential condominiums, as well as two or three levels of underground parking.

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The project s estmated to cost between $7,500,000 and $10,000,00.

You wll be advised as to future progress.

Sincerely,

GERALD W. GRAVES,
Mayor.

Referred to Committee on Physical Development.

July 1, 1981

Council President Lucile Belen and
Members of the Lansing City Council

10th Floor, City Hall

Lansing, Michigan 48933

Dear Council President and Members:

During recent weeks, this office has been referred three matters by City Council regarding vendors who wish to operate concession carts or vehicles in the downtown area and specifically on the Washington Mall. At this time, it appears that the City's Code of Ordinances cannot accommodate these requests. I would particularly cite section 24-9 which prohibits peddlers "to operate in any congested area where his operations impede or inconvenience the public." Also, Section 24A-5 prohibiting in the mall areas "(a) Peddling, hawking and vending within the meaning of the Lansing City Code, Section 24-1." Inasmuch as the ordinances are matters requiring City Council action, I would request Council policy on these items to determine whether such requests may be considered in the future.

Sincerely,

GERALD W. GRAVES,
Mayor.

Referred to Committee on General Services and Committee on Public Property and Safety.

July 1, 1981

Council President Lucile Belen and
Members of the Lansing City Council

10th Floor, City Hall

Lansing, Michigan 48933

Dear Council President and Members:

I am in receipt of the City Council policy adopted last Monday, June 29, 1981, regarding use of City-owned vehicles. I wish to bring to City Council's attention that an error appears to exist in the resolution when compared to my understanding of City Council's intention on this subject. The resolution reads, "BE IT FURTHER RESOLVED, that no automobile shall be provided on an ongoing daily basis unless one of the following exists: A. The total automobile costs divided by the annual work miles exceeds the current City mileage reimbursement rate." Given that language, every vehicle now individually assigned would continue to be individually assigned, as the City cost of each vehicle exceeds the present reimbursement rate for personal mileage. I would ask Council that corrective action be taken in this regard as it is intended so that this policy may be properly implemented.

Given Council's intention as I understand it, and assuming your timely action on the above correction, I have directed my staff to prepare administrative rules which may be implemented by the end of August. Concurrent with that will be requests for transfers of funds to the appropriate accounts for your action.

I have additionally directed the Personnel Department to immediately notify the unions of your policy as requested in the resolution and to handle posting of the policy.

It is my hope that City Council understands the considerable effort which will be required to implement this policy in light of the savings to be achieved. I strongly question whether the $40,000 figure bantered about by City Council is a realistic projection of savings which may result from this matter. I question the ability of the City to effect a wholesale reduction of vehicles without causing difficulty with present labor contracts. I continue to be concerned about the liability aspects for the City on the increased uses of personal vehicles for City business. Nevertheless it is my intention that this policy, having been adopted, will be implemented as effectively as possible.

Sincerely,

GERALD W. GRAVES,
Mayor.

Referred to the Special Ad Hoc Vehicle Committee.

July 1, 1981

Council President Lucile Belen and
Members of the Lansing City Council

10th Floor, City Hall

Lansing, Michigan 48933

Dear Council President and Members:

Please be advised that the contract for outside legal services with Miller, Johnson, Snell and Cummiskey for fiscal year beginning July 1, 1981 has been completed and is on file with the City Clerk. The contract is an amount not to exceed $49,000 and meets all other requirements of the City Council policy of March 8, 1980.

Sincerely,

GERALD W. GRAVES,
Mayor.

Received and placed on file.

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Whereas, at such hearing held on the 29th day of June, 1981, all parties interested therein were heard and given due consideration; and

Whereas, the property involved is described as:

Lot 43, Midway Industrial Center No. 2, a subdivision of a part of Section 3, T3N, R2W, City of Lansing, Ingham County, Michigan, according to the recorded plat thereof.

Petitioner: Jackson National Life Insurance Company.

Whereas, after considering all the testimony presented to this Council, this Council has determined that the proposed District is zoned for industrial uses and has been so zoned for three years prior to the effective date of P.A. 255 and is characterized by obsolete commercial property and a decline in commercial activity;

Now, Therefore, Be It Resolved that the Council of the City of Lansing hereby established a Lansing Commercial Redevelopment District CRD-5-81 on the above described property.

Adopted by the following vote:

Unanimously.

By ECONOMIC DEVELOPMENT COMMITTEE—

Resolved by the City Council of the City of Lansing:

Whereas, by petition duly filed on May 14, 1981, this Council was petitioned to establish a Lansing Commercial Redevelopment District CRD-4-81, pursuant to Public Act 255 of 1978; and

Whereas, due notice has been given for a public hearing on said petition; and

Whereas, at such hearing held on the 29th day of June, 1981, all parties interested therein were heard and given due consideration; and

Whereas, the property involved is commonly known as the Washington Square more particularly described as:

Building, 109 West Michigan Avenue, and North 48½ feet lots 1 and 2, Block 110, Original Plat, City of Lansing.

Petitioner: Washington Square Office Partners.

Whereas, after considering all the testimony presented to this Council, this Council has determined that the proposed District is zoned for business uses and has been so zoned for three years prior to the effective date of P.A. 255 and is characterized by obsolete commercial property and a decline in commercial activity;

Now, Therefore, Be It Resolved that the Council of the City of Lansing hereby es-

July 1, 1981

Council President Lucile Belen and
Members of the Lansing City Council

10th Floor, City Hall

Lansing, Michigan 48933

Dear Council President and Members:

Last Monday evening, the Rev. Mrs. Ja West, D.D., spoke to City Council regarding her proposal to incorporate a religious nonprofit organization. Rev. West indicated that she was attempting to obtain a building for a nominal down payment to support a Christian art gallery and to enable her organization to adopt and/or shelter children apparently unwanted by their parents.

The Council President referred this matter to the Office of the Mayor. After having reviewed the correspondence from Rev. West, it is apparent that any involvement by the City of Lansing would be contradictory to the separation of the Church and State and would be highly inappropriate. I do not feel it is possible for my office to proceed further on this matter.

I am, therefore, returning this correspondence to the City Council with my recommendation that Council President Lucile Belen work with Rev. West and attempt to help this organization through her association with Zonta. Zonta represents established business and professional women whose objectives are, in part;

—"To improve the legal, political, economic and professional status of women:"

—"To work for the advancement of understanding, good will and peace through a world fellowship . . ."

Zonta women have been achievers in the community and who would be capable of assisting this group. It is appropriate that Zonta would be involved with this organization inasmuch as Rev. West is one of the few female clergy in this community.

Sincerely,

GERALD W. GRAVES,
Mayor.

Received and placed on file.

## RESOLUTIONS

By ECONOMIC DEVELOPMENT COMMITTEE—

Resolved by the City Council of the City of Lansing:

Whereas, by petition duly filed on May 14, 1981, this Council was petitioned to establish a Lansing Commercial Redevelopment District CRD-5-81, pursuant to Public Act 255 of 1978; and

Whereas, due notice has been given for a public hearing on said petition; and

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tablishes a Lansing Commercial Redevelopment District CRD-4-81 on the above described property.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PHYSICAL DEVELOPMENT—

Resolved by the City Council of the City of Lansing:

Whereas, lot No. 34 of the northwest corner of South Holmes and Mechanic Streets, Block 10, Manufacturer's Addition No. 2 was sold to Mr. Stanley Jennings of 1010 S. Holmes; and

Whereas, the Agreement of Sale and deed between the purchaser and City of Lansing does not permit the transfer or assignment of this agreement without the written consent of the seller; and

Whereas, the Agreement of Sale and deed between the purchaser and City of Lansing does not permit construction upon said land; and

Whereas, Citizens' District Council No. 2 received a request from the purchaser to have these restrictions rescinded; and

Whereas, Citizens' District Council No. 2 recommended the sale of said lot and the use of said lot as single family residential;

Now, Therefore, Be It Resolved that the City Council denies the recommendation to sell said lot; and

Be It Finally Resolved, that the City Council denies the recommendation for the use of said lot as single family residential.

Adopted by the following vote:

Unanimously.

By PHYSICAL DEVELOPMENT COMMITTEE—

Resolved by the City Council of the City of Lansing:

Whereas, a public hearing was held by the Lansing Planning Board on June 2, 1981 to provide citizens adequate opportunity to comment on a proposed revision which will add Census Tract No. 2 as a location for new construction in the approved Three Year Housing Assistance Plan which currently includes Census Tracts 15, 17, 18, 29 and 53.01; and

Whereas, nobody commented against the proposed revision at the public hearing; and

Whereas, there is a scarcity of vacant, buildable, residential land suitable for development in Lansing and Census Tract No. 2 has an ideal location in relation to existing public facilities and services; and

Whereas, the Lansing Planning Board, after reviewing the proposal, approved the Housing Assistance Plan Revision on June 16, 1981; and

Whereas, on June 22, 1981, the Mayor of the City of Lansing submitted the proposed Housing Assistance Plan to the City Council; and

Now, Therefore, Be It Resolved that a public hearing be held by City Council in the Council Chambers on July 27, 1981 for the purpose of receiving public comments on the proposed revision to the Housing Assistance Plan prior to City Council action; and, if approved, submission to the Department of Housing and Urban Development for approval.

Adopted by the following vote:

Unanimously.

By COUNCILMAN McKANE—

Resolved by the City Council of the City of Lansing:

FISCAL YEAR 1981-82

That the following transfer be approved:

$2,615.00 from General Administration
Insurance
A/C 101-930-000-910

$2,615.00 to District Court—
Expenditures
A/C 101-136-000-700

$2,615.00 from District Court Estimated
Revenues
A/C 760-000-000-160

$2,615.00 to District Court—
Insurance & Bonds
A/C 760-136-000-910

I hereby certify that this is a properly drawn and eligible transfer.

JAMES W. DOWSETT,
Finance Director.

Adopted by the following vote:

Unanimously.

**REMARKS BY THE MAYOR'S EXECUTIVE ASSISTANT**

No comment.

**REMARKS BY THE CITY COUNCIL—**

**SUSPENSION OF RULES**

By COUNCILMAN LINDEMANN—

Resolved by the City Council of the City of Lansing:

That the rules of the Council be waived

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for the purpose of presenting items that are not listed on the agenda.

Carried.

By COUNCILMAN WORTHINGTON—

That in the automobile policy passed July 30, 1981 under "A." the words "does not" be inserted and "exceeds" be changed to "exceed".

Carried.

Letter from the North Lansing Community Association in regard to the proposed "FishFest" to be held on September 18, 19, 20, 1981.

Referred to the Committee on Public Properties and Safety.

Request from John Hopkins in regard to permission to erect a temporary political sign at 1013 Climax St.

Referred to Committee on Physical Development.

Richard Baker, 1004 W. Lapeer, spoke relative stones being placed in parking lot and also weeds growing there.

Mrs. Hallman, 1014 W. Lapeer, spoke about stones in parking lot owned by Dr. Spagnuolo and also high weeds.

Referred to Mayor's Office and City Attorney.

By COUNCILMAN WORTHINGTON—

That this meeting stand adjourned.

Carried.

Council adjourned at 7:40 P.M.

THEO FULTON,
City Clerk.

Lansing, Michigan

July 6, 1981

F/B

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CITY CLERK'S OFFICE
Room 921, City Hall
Lansing, Michigan 48933

Address Correction Requested

BULK RATE
U. S. POSTAGE
PAID
Permit No. 1461
Lansing, Michigan



# OFFICIAL PROCEEDINGS OF THE CITY COUNCIL OF THE CITY OF LANSING

## Proceedings, July 13, 1981

CITY COUNCIL ROOMS

Lansing, Michigan

July 13, 1981

The City Council of the City of Lansing, Michigan, met in regular session and was called to order by President Belen.

Present: Councilmen Adado, Belen, Blair, Gunther, Lindemann, McKane, Worthington—7.

Absent: Councilman Brenke—1.

The Clerk announced that a quorum of the Council was present.

Invocation was given by Councilman Worthington.

Pledge of Allegiance was led by Councilman Worthington.

### HEARING ON PROPOSED CHANGE IN ZONING CLASSIFICATIONS

July 13, 1981, at 7:00 o'clock being the time set as the time for holding a hearing on the proposed changes in the Classifications as provided for in the Zoning Code which was passed by the City Council on November 13, 1958, said proposed amendment being as follows:

That the property described as:

Z-16-81—Edgewood Blvd. at American Road,

be rezoned from "A" One Family Residential District to "F" Commercial and "D-1" Professional Office District.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed amendment to the Classifications provided for in the Zoning Code he had the privilege of speaking at this time.

No objections were made to the proposed amendment.

Referred to Committee on Physical Development.

### PUBILC HEARINGS

July 13, 1981, at 7:00 o'clock being the time set as the time for holding a public

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hearing on the proposed demolition of property at 1000 Shepard Street.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed demolition they had the privilege of speaking at this time.

Margaret Peters, Hacker Co., spoke.

Referred to Committee on General Services.

July 13, 1981, at 7:00 o'clock being the time set as the time for holding a public hearing on the proposed demolition of property at 1705 Martin Street.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed demolition they had the privilege of speaking at this time.

No objections were made to the proposed demolition.

Referred to Committee on General Services.

Remarks by George Mills who read statement relative to withdrawing request to lease Aurelius Road Landfill site.

**THE PUBLIC MAY NOW ADDRESS THE CITY COUNCIL ON ANY OF THE FOLLOWING ITEMS LISTED ON THE AGENDA: COMMUNICATIONS AND PETITIONS, COMMITTEE REPORTS, REPORTS OF CITY OFFICERS AND BOARDS AND RESOLUTIONS. YOU MAY SPEAK ONLY FOR 3 MINUTES ON ANY ONE ITEM.**

No persons spoke.

## COMMUNICATIONS AND PETITIONS

The following applications and bonds have been filed for licenses:

RUBBISH HAULER—
Steve Corson, Jr.

Referred to Committee on General Services.

Summons filed in Circuit Court by Juanito Lopez vs. City of Lansing for injuries sustained due to fall on raised sidewalk in the 1000 block of East Grand River Avenue.

Referred to Mayor, City Attorney.

The following claims have been filed:

Janice Churma for injuries sustained due to the automatic arm at the city parking lot at Washington and Kalamazoo Streets came down hurting her neck and back.

Wendall Trowbridge for a stereo set that was stolen and later found by the Police Department and later auctioned at a city auction sale.

Robert L. Bancroft for damage to headstones at Evergreen Cemetery.

Richard B. Simons for damage to tile at his home due to sewer backup.

Referred to Mayor ,City Attorney.

Application for a Commercial Facilities Exemption Certificate filed by Capitol Park Motor Hotel, Inc.—500 S. Capitol Avenue.

Referred to Mayor, Economic Development Corporation, Committee on Economic Development.

Petition filed to eliminate reckless and excessive speed of drivers in Glenburne Subd. area and to abolish any persons in Sheffield Park after 8:00 P.M.

Referred to Mayor.

Letters in regard to proposal to exchange Conrail Property in the Spring Street Area recently purchased by the City of Lansing for a bike and jogging path.

Wolverine Development Corporation
Spartan Oil Corporation.

Referred to Mayor and Committee on Public Properties and Safety.

Letter from Michigan Motor Bus Association in regard to the proposed Lansing Joint Bus Terminal.

Referred to Mayor.

Letter from Capital Area Transportation Authority (CATA) requesting city funding.

Referred to Mayor and Committee on Ways and Means.

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**MAYOR OR HIS EXECUTIVE ASSISTANT COMMENTS ON ANY ITEM ON THE AGENDA**

No comments.

**REPORTS OF CIMMITTEES**

The COMMITTEE ON GENERAL SERVICES approves the following applications and bonds for licenses:

RUBBISH HAULER—
Steve Corson, Jr.

Signed:

PAT LINDEMANN,
TERRY J. McKANE,
Committee on General Services.

By COUNCILMAN LINDEMANN—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

The COMMITTEE ON PUBLIC PROPERTIES AND SAFETY, to whom was referred the ordinance of the City of Lansing providing that the code be amended by repealing of Section 59 of Chapter 27 of the code for the purpose of updating license requirements for drain and sewer layers and sewer cleaners to comply with State and Federal Law, reports as follows:

That said ordinance be passed.

Signed:

PAT LINDEMANN,
JAMES D. BLAIR,
SIDNEY P. WORTHINGTON,
Committee on Properties and Safety.

By COUNCILMAN LINDEMANN—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

The COMMITTEE ON GENERAL SERVICES, to whom was referred the Ordinance of the City of Lansing providing that the Code of Ordinances of the City of Lansing be amended by adding a new Section 59 for the purpose of updating the license requirements for drain and sewer layers and sewer cleaners to comply with State and Federal Law, reports as follows:
That said ordinance be passed.

Signed:

PAT LINDEMANN,
TERRY J. McKANE,
Committee on General Services.

By COUNCILMAN LINDEMANN—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

The COMMITTEE ON GENERAL SERVICES, to whom was referred the Ordinance of the City of Lansing providing that Chapter 35 of the code be amended by adding Sections 35-1 through 35-9 to the code (Lansing Weights and Measures Ordinance), reports as follows:

That said ordinance be approved.

Signed:

PAT LINDEMANN,
TERRY J. McKANE,
Committee on General Services.

By COUNCILMAN LINDEMANN—

That the report of the Committee be adopted.

Adopted by the following ovte:

Unanimously.

**REPORTS OF CITY OFFICERS AND BOARDS**

July 10, 1981

Honorable Council President Lucile Belen
and Members of the Lansing City Council

10th Floor, City Hall

Lansing, Michigan 48933
Re: Claim of Mark Jones in the amount of $104.00

Dear President Belen and
Council Members:

On April 29, 1981, claimant contacted the Lansing Fire Departmnt for ambulance assistance. Mercy Ambulance was sent instead of a City ambulance when the dispatcher construed the call as a non-emergency request for assistance.

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Lansing City Charter, Article IV, Chapter 3, §4-303.5 provides:

"The department shall maintain and operate such ambulance, inhalator, and other life saving and emergency services as the welfare of the inhabitants of the city may require and as the council may direct."

Based on the foregoing charter provision, it is clear that the City is responsible for providing ambulance services to residents of the city in emergency situations. This claimant's physician, Dr. David Rovner, M.D., has advised this office that this claimant was accutely ill at the time with water intoxication as a result of an inappropriate secretion of antidiuretic hormone. Dr. Rovner adds that, in his judgment, it was a true emergency and it was his suggestion of immediate hospitalization on an emergency basis which precipitated the call to the Lansing Fire Department for ambulance assistance.

Based on the fact that this claimant's request for ambulance assistance was, in all probability, an emergency situation, it is the recommendation of this office that this claim be allowed.

Respectfully submitted,

STEPHEN R. SAWYER,
City Attorney.

By COUNCILMAN ADADO—

That we concur in the recommendation of the City Attorney and the City Clerk be and she is authorized to draw an order on the City Treasurer in the amount of $104.00 payable to Mark Jones.

Carried.

July 1, 1981

Miss Theo Fulton, City Clerk

City of Lansing

City Hall

Lansing, Michigan 48933

Dear Miss Fulton:

This letter and attachments are being filed with the City Clerk in accordance with the requirements of Article 5, Chapter 2, Section 5-205.2 of the City Charter regarding changes in the rate structure and other charges.

The Board of Water and Light (BWL) current base steam rate schedule was adopted November 14, 1979, and became effective December 1, 1979. This rate does not, due to the impact of inflation that has occurred since its adoption, provide sufficient funds to (a) cover operating expenses and (b) provide funds for normal system betterment.

A $535,618 revenue deficiency is projected for Fiscal Year 1982 under the current rate schedule. To offset this projected revenue deficiency, the Board has under consideration a new steam rate schedule and revised Rules and Regulations applicable to Central Steam District users. A public hearing is scheduled to be held on Tuesday, August 18, 1981, at 7:00 p.m. in the BWL office building, 123 W. Ottawa Street, Lansing, Michigan to provide for public input in this matter.

The proposed new steam rate applied to Fiscal 1982 projected sales will produce an additional $535,618 of billed revenue. This equates to an overall 16.62% steam rate increase based on May 1981 fuel cost and is the minimum deemed necessary to maintain a fiscally sound Central Steam District operation. Following is a brief explanation

Attachment 1 shows the projections of revenue, expenditures, net income, and revenue deficiency for Fiscal Year 1982 under the existing and proposed steam rates.

Attachment 2 is the Finance Committee Report regarding new steam rates and revised Rules and Regulations. This committee report was adopted by the Board at its June 30, 1981 meeting. Attached to the Finance Committee Report are the proposed new steam rates and Rules and Regulations. Changes in the existing steam rate are shown in italics.

Attachment 3—The existing Rules and Regulations for Steam Service, Sheets 6.00-6.02 which will be rescinded and replaced by Sheets 6.00-6.04 attached to the Finance Committee Report.

Attachment 4 is the "Form of Notice of Public Hearing" which will be published in the Lansing State Journal on or about July 10, 1981, and two additional times prior to the public hearing date of August 18, 1981.

Very truly yours,

BOARD OF WATER AND LIGHT
Dorothy LeVan, Secretary.

Received and placed on file.

DATE: 7-6-81

TO: President Belen and Members, City Council

FROM: Police Chief Richard A. Gleason

SUBJECT: Parade Application

Attached is an application for a parade permit from the Y.W.C.A. scheduled for 9:00 A.M. on Saturday, August 1, 1981, which has been approved by all the necessary departments.

Our personnel estimate this will cost the City a total of $382.13 which represents one sergeant, 12 officers and 13 vehicles for two hours.

This is being forwarded to you for final action.

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By COUNCILMAN McKANE—

That we concur in the recommendation of the Chief of Police and said parade permit be approved, having received the signatures of all the required departments.

Carried.

July 6, 1981

Honorable Mayor Gerald Graves,
Council President Lucile Belen,
and Members of the City Council

Re: City Fish Company
EDC Project

Dear Gayor Graves and Council Members:

We are forwarding to you a resolution approved by the Lansing Economic Development Corporation Board of Directors of action taken at a regular meeting held on July 1, 1981, approving the Resolution of Inducement, Designation of Project Area and Designation of Bond Counsel. Therefore, it will be necessary for you to appoint two (2) Temporary Directors to this project.

The applicant proposes to acquire land in the 500 block of South Washington Avenue and construpct a commercial building of approximately 15,000 square feet for use by the City Fish Co., for its retail, wholesale and restaurant fresh fish and seafood operations and for use by retail commercial establishments. They are requesting Nine Hundred Fifty Thousand Dollars ($950,000) in EDC bonds.

The Economic Development Corporation is in the process of developing a Project Plan to be presented to you at a future date.

Also, inasmuch as there is no residential area to be affected by the Project Plan, we beiieve that it is not necessary to establish a Project Citizens District Council.

Sincerely yours,

EMERSON B. OHL,
Executive Director.

Referred to Committee on Economic Development.

July 6, 1981

Mayor Gerald W. Graves,
Council President Lucile Belen
and Members of the City Council

Re: Quality Dairy Company EDC
Project ($250,000 EDC Bonding)

Dear Mayor Graves, President Belen
and Council Members:

At the regular monthly meeting of the Lansing Economic Development Corporation Board of Directors, held on July 1, 1981, by a vote of 9-0, the Board of Directors approved the Resolution Approving Project Plan for the Quality Dairy Company. (Attached)

After you have been notified that the Economic Development Advisory Group has approved the plan, it will then be necessary for a public hearing to be held.

Sincerely yours,

EMERSON B. OHL,
Executive Director.

Referred to Committee on Economic Development.

July 8, 1981

Council President Lucile Belen,
and Members of the City Council

10th Floor, City Hall

Lansing, Michigan 48933

Dear Council President and Members
of City Council:

This office has received notification from HUD that the Community Development Block Grant application for the 7th program year has been approved as submitted. The grant amount is $2,075,000.00. The activities which were approved for funding in this fiscal year include continued activities in the Southside NDA 4 and Peripheral Area, the Westside Peripheral Area, the Northside NDA 3 and Peripheral Area, Eastside NDA 2 and Peripheral Area, Citywide Rehabilitation, Diamond Reo Area improvements, Foster Community Center improvements and Coachlight Park development. Also included and approved by HUD is the administrative budget which covers not only block grant funded programs but administration of other HUD, EDA and State funded projects as well.

HUD continues to be pleased with the City's performance and use of Community Development funds. If you have any questions about funding or approved activities, please contact Bob Harris, Housing and Community Development Coordinator in the Planning Department.

Sincerely,

GERALD W. GRAVES,
Mayor.

Received and placed on file.

July 7, 1981

Council President Lucile Belen and
Members of the Lansing City Council

10th Floor, City Hall

Lansing, Michigan 48933

Dear Council President and Members:

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

Several months ago, I advised City Council with the risks which might develop from acceptance of the North Lansing Facade Restoration grant from the Michigan History Division. I regret that I must now bring to your attention that that due to the high costs on the seven privately-owned properties included in this program, that there are not sufficient funds available for the facade restoration of the City's North Lansing Comfort Station.

The architect's estimate of Comfort Station restoration, which was developed in April 1980, was $20,000. The funds remaining in the grant following the City's 85% share on the private properties is only $5,518. Although the Michigan History Division verbally informed the City last fall that the Comfort Station could be deleted if funds run short, the History Division refused to write the grant agreement with that provision. Hence, the City now finds that it cannot respond to the legal, written commitment it has on the grant.

This does not influence the interior of the Comfort Station, which will be renovated with $45,021 from the U. S. Economic Development Administration from the 1977 Local Public Works grant. That work is to be done under a separate bid.

The facade work may, however, be influenced by the lease entered into at City Council's direction between the City and the North Lansing Community Association for the Comfort Station. The pertinent portion of the lease is attached for review.

City Council should also recognize that no funds are available for contingencies which might arise on any of the privately-owned structures. It would be extremely unusual for restoration work to be done on such old buildings without discovering unique conditions which would necessitate additional work (and additional cost) to make proper repairs.

City Council's direction is requested as to whether the Comfort Station should be deleted from the grant, assuming that is approved by the Michigan History Division, or what alternative should be taken with respect to this property. With the tight time frame remaining on this grant, your prompt attention is requested.

Sincerely,

GERALD W. GRAVES,
Mayor.

Referred to Committee on Public Properties and Safety.

July 7, 1981

Council President Lucile Belen and
Members of the Lansing City Council

10th Floor, City Hall

Dear Council President and Members:

We have, for several months, delayed the Lansing, Michigan 48933
auction of immovable items from Alex's Restaurant, one of the facilities acquired as part of the proposed Convention Center site, because of the unclear status of the Urban Development Action Grant (UDAG) required to complete the project. Initially it was assumed that the final work on the grant would be completed prior to June 1, 1981, and when that date passed I was advised that the grant work would be completed prior to July 1, 1981. We have passed the second target date and still no final decision is in sight. As a result, the unoccupied facilities on the Convention Center site are deteriorating and losing value. In addition, the City is compelled to insure the facilities to protect against even greater loss.

The Administrative Services Director and the Property Manager have informed me that a sixty (60) day period will be required to conduct an auction of immovable fixtures in accordance with applicable Federal regulations. They have expressed concern that should the UDAG grant be awarded in the fall, even the early fall, there would be tremendous pressure to demolish the buildings on the site and that there would not be sufficient time to conduct the auction nor to recover valuable salvage. Such an occurrence would result in an estimated additional loss of $30,000 in auction proceeds.

Since the auction of immovable fixtures from Alex's Restaurant would eliminate any future marketability of the property as anything other than vacant land and since it is still not certain that the UDAG grant will be forthcoming, I am requesting your policy guidance in this matter.

Does the City Council wish the administration to:

(1) Proceed with the auction of immovable fixtures at the earliest possible date?

(2) Proceed with the auction of immovable fixtures at the earliest possible date and proceed with demolition of the facilities following the auction?

(3) Await receipt of the UDAG grant before any action is undertaken?

In the first instance the City would benefit by the auction proceeds and salvage, but the facilities would remain as a liability due to the cost to insure them against loss and personal injury. In the second instance the City would benefit by the auction proceeds and salvage, the liability of the buildings would be eliminated, but the monies appropriated from the general fund for demolition would be expended with no assurance that the UDAG grant will be awarded to the City. The third option would result in continued deterioration of the facilities, continued insurance costs, and possible loss of the auction proceeds and salvage value, but retention of funds appropriated for demolition until the

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UDAG grant is actually in hand.

Due to the nature of the problem, if option (1) or (2) is preferred, it would be to the City's advantage to act quickly in order to conduct the auction in warm weather and/or avoid additional costs associated with demolition during the winter months. For this reason I request your guidance at the earliest possible date.

Sincerely,

GERALD W. GRAVES,
Mayor.

Referred to Committee on Public Properties and Safety.

July 8, 1981

Council President Lucile Belen and
Members of the Lansing City Council

10th Floor, City Hall

Lansing, Michigan 48933

Dear Council President and Members:

At the Committee of the Whole session of Thursday, June 18, 1981, the matter of the City's participation in the Bogus Swamp drain, which runs through the Waverly Golf Course, was referred to the Council's Ways and Means Committee. Lansing Township seeks $60,903 for the City of Lansing's share, plus interest.

After that meeting, Council President Lucile Belen was quoted in the State Journal as saying that the City of Lansing has a "moral obligation" to pay this billing, acknowledging that the City Council "intended' 'to pay the City's share.

However, I am not able to find any evidence that the City of Lansing was ever obligated, legally or morally, to financially participate in this drain projevt. The City did agree to allow construction of the drain through the golf course by providing an easement at no cost to the Township, thus reducing the cost of construction by many thousands of dollars.

I wish to use a brief chronology to explain why the City of Lansing should not pay any portion of the costs of this project.

December 19, 1977—By a 6-1 vote (Blair no, Brenke absent) the City Council agreed to the petition (Attachment 1) for the Bogus Swamp drain, which includes a small portion of property within the City of Lansing totally occupied by the Michigan Department of Transportion. State law provides that the MDOT can pay for portions of drainage districts benefiting state highways, so the subsequent notice of hearing of apportionment of cost (Attachment 2) dated September 18, 1978, indicated the City's benefits to the public health at 0% of the total cost. Hence, **the Township recognized that the City had no cost for property within the City limits.**

September 22, 1978—Parks Director Douglas Finley advised the Ingham County Drain Commissioner (Attachment 3) that no easement had been requested over the golf course, and wrote "it seems practical that we should be able to establish an agreement **which will not require any form of a cash contribution** from the City of City of Lansing."

February 27, 1979—Township Attorney Patrick J. Berardo writes in a letter to City Attorney Stephen Sawyer "the only way in which funds could be obtained by the City . . . is by consent to assessment and acceptance of assessments by the City Council." (Attachment 4).

February 28, 1979—City Attorney Stephen Sawyer advised the City Council by opinion that **"the City of Lansing is exempt** from any special assessments levied upon the Waverly Golf Course by Lansing Township for the Bogus Swamp Drain." (Attachment 5).

March 1, 1979—Parks Dirctor Douglas Finley by memo (Attachment 5) said, "The benefits to Lansing in the form of storm sewer and water run off are not significant but theoretically exist because of our location within the Bogus Swamp Drain region." The memo does acknowledge an improvement to the pond on the course.

March 5, 1979—City Council approved the easement through the golf course **at no cost to the Township.** (Attachment 7).

February 8, 1980—Township Attorney Berardo writes to formally request participation of the City of Lansing in the cost of this project (Attachment 8). Included was a proposed resolution indicating no responsibility on the City's part and suggesting a "contribution" from the City.

May 6, 1981—Township Attorney Berardo writes to Mayor Graves requesting that a proposed resolution be placed on the City Council agenda (Attachment 9) identical to the resolution requested some 15 months earlier. The contribution would be in lieu of special assessment, the letter indicates.

The correspondence very clearly indicates that the City of Lansing is not legally obligated for an assessment, and that the Township did not request any voluntary or contractual commitment from the City until after construction was complete. Further, the Township recognized that no benefits were derived by the City as a whole since all affected property in the City was occupied by the Michigan Department of Transportation.

The City of Lansing did appropriate $10,000 in Fiscal Year 1979 and $40,000 in Fiscal Year 1980 to the Bogus Swamp account, but not with any legal or moral obligation to spend those funds. In the new fiscal year, $10,000 of these funds were reappropriated to other county drain projects and the balance of funds lapsed on July 1, 1981. Hence, any "contribution"

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by the City must come from a new appropriation which I strongly oppose in light of the City's present economic circumstances.

I trust this clarifies this matter and provides ample reason for City Council to respectfully deny this request.

Sincerely,

GERALD W. GRAVES,
Mayor.

Referred to Committee on Ways and Means.

July 8, 1981

Council President Lucile Belen and
Mmbers of the Lansing City Council

10th Floor, City Hall

Lansing, Michigan 48933

Dear Council President and Members:

I have reviewed the report of the Internal Auditor on the Personnel Directors Request for Funds for Outside Iegal Services pursuant to Article 4, Section 4-102.6 of the Lansing City Charter. I have also re-examined the procedures and policies relative to expenditures, legal services and incurring expenses as requested in your resolution of June 9, 1981.

As I had staff inform you when the request for a transfer of funds was originally presented to the Committee on Ways and Means, it is my conclusion that the need for this transfer resulted from a failure to comply with the requirements of my Executive Order No. 2 (see attached) and with the requirements of your policy on professional services adopted March 3, 1980. I have conducted an extensive administrative investigation into this matter and find that the policies and procedures are clear and adequate to avert such problems. However, like any policy or procedure, they cannot achieve their intended purpose if they are ignored by a department. Further, I believe that both the policies and procedures meet the requirements of P.A. 621.

Since the policies and procedurs are clear-cut and adequate, I find the problem to be one caused by action and inaction of the Personnel Director. I will provide you with a copy of my communication regarding disciplinary action taken against the Personnel Director in one week.

I feel that it is extremely unfortunate that this occurred and have taken every action within my power to rectify the problem and prevent it from reoccurring.

Regarding the matter dealing with the failure of Mr. Kintz to follow contract procedures, and filing same with the City Clerk, you have already been advised that same has been corrected.

Sincerely,

GERALD W. GRAVES,
Mayor.

Received and placed on file.

DATE: 7/9/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Planning Board Re: Z-17-81, 1226 W. Mt. Hope Ave.

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Physical Development.

DATE: 7/9/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Planning Board Re: Z-18-81, 1224 E .Miller Road

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Physical Development.

DATE: 7/9/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Planning Board Re: Z-19-81, 4903 N. Grand River Ave.

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Physical Development.

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

DATE: 7/9/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Planning Board Re: Z-20-81, 6327 Grovenberg Road

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Physical Development.

DATE: 7/9/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Planning Board Re: P-1-81, Capitol Commons UR Plat 1 and 2

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Physical Development.

DATE: 7/9/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Planning Board Re: P-4-81, Sky View Subdivision

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Physical Development.

DATE: 7/9/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Planning Board Re: ACT 21-81, Hoyt Ave. and Aurelius Road

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Physical Development.

DATE: 7/9/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Planning Board Re: ACT-23-81, Alley vacation

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Physical Development.

DATE: 7/9/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Mayor's Economic Development Advisory Group, A. Tubbs, Chairman, Re: Industrial Welding application for Industrial Facilities Exemption Certificate

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Economic Development.

DATE: 7/9/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Mayor's Economic Development Advisory Group, A. Tubbs, Chairman, Re: City Fish Co. request for establishment of Commercial Redevelopment District

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Economic Development.

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

DATE: 7/9/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Mayor's Economic Development Advisory Group, A. Tubbs, Chairman, Re: EDC request for approval of EDC project plan for Quality Dairy project at Pleasant Grove and Holmes

The attahced correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Economic Development.

DATE: 7/9/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Real Estate Analyst, Robert Engel, Re: Raymond Drive Property

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Public Properties and Safety—

DATE: 7/9/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Submission of attached correspondence from the Public Service Director, H. McCaffery, Re: Treatment Works Grant—Construction Permit No. 730638X, C 262041-01, Step 3, Amendment No. 4

The attached correspondence is submitted for your information.

GERALD W. GRAVES,
Mayor.

Received and placed on file.

DATE: 7/9/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Administrative Review Committee Re: Sale of property, NDA No. 2

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Physical Development.

DATE: 7/9/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Submission of attached correspondence from the Building Safety and Development Director, J. Kzeski, Re: Registry of licensed contractors

The attached correspondence is submitted for your information.

GERALD W. GRAVES,
Mayor.

Received and placed on file.

DATE: 7/9/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Building Safety and Development Director, J. Kzeski, Re: Grass cutting assessment for December 1981 Tax Rolls (L-20)

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

By COUNCILMAN LINDEMANN—

That we concur in the recommendation of the Mayor and said special assessments be placed on the tax rolls.

Carried.

DATE: 7/9/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Submission of attached correspondence from the Public Service Board's Secretary, Barbara Garlock, Re: Board of Public Service election of officers

The attached correspondence is submitted for your information.

GERALD W. GRAVES,
Mayor.

Received and placed on file.

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DATE: 7/9/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Submission of attached correspondence from the Public Service Director, McCaffery, Re: Haze Drain Easement Relocation

The attached correspondence is submitted for your information.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Physical Development.

## RESOLUTIONS

By ECONOMIC DEVELOPMENT COMMITTEE—

Resolved by the City Council of the City of Lansing:

Whereas, it is necessary to hold a public hearing prior to the Council approval of Industrial Facilities Exemption Certificate for the following petitioner,

Industrial Rehabilitation District No. 1

Petitioner: Industrial Welding, Inc.
2200 Olds Avenue
Lansing, Michigan

Therefore, Be It Resolved that the City Clerk give at least 10 days notice of a public hearing when all persons interested may attend and make any objections they may have to the approval of the certificate, and

Further Resolved that the City Clerk notify the legislative body of each taxing unit which levies ad valorem property taxes in the City, and

Further Resolved that such hearing shall be held at the Council Chambers in the City Hall on the 3rd day of August, 1981, at 7:00 p.m. and that notice of such hearing be published in a publication of general circulation of said city.

Adopted by the following vote:

Unanimously.

By ECONOMIC DEVELOPMENT COMMITTEE—

Resolved by the City Council of the City of Lansing:

Whereas, it is necessary to hold a public hearing on the proposed establishmnet of a Lansing Commercial Redevelopment District, CRD-7-81, proposed by Mr. Jerry Zimmerman for the northeast corner of Hillsdale Street and Washington Avenue, more particularly described as:

Lots 7, 8, and 9, Block No. 150, Original Plat.

Now, Therefore, Be It Resolved that the City Clerk give at least ten (10) days notice of a public hearing when all persons interested may attend and make any objections they may have to such proposed district; and

Be It Further Resolved that such hearing be held at the Council Chambers in the City Hall on the 3rd day of August, 1981, at 7:00 p.m.; and that notice of such hearing be published in a publication of general circulation in said city.

Adopted by the following vote:

Unanimously.

By ECONOMIC DEVELOPMENT COMMITTEE—

City of Lansing

County of Ingham, Michigan

RESOLUTION CALLING PUBLIC HEARING CONCERNING PROJECT PLAN CONCERNING QUALITY DAIRY COMPANY PROJECT

Minutes of a Regular meeting of the City Council of the City of Lansing, County of Ingham, Michigan (the "City Council"), held on July 13, 1981, at 7:00 o'clock p.m., Eastern Daylight Time.

Present: Councilmen Adado, Belen, Blair, Gunther, Lindemann, McKane, Worthington—7.

Absent: Councilman Brenke—1.

The following preamble and resolution were offered by Councilman Adado and supported by Councilman Gunther:

Whereas, there exists in the City of Lansing, County of Ingham, Michigan (the "City") the need for certain programs to alleviate and prevent conditions of unemployment and revitalize the City's economy, and to encourage the location and expansion of industrial and commercial enterprises to provide needed services and facilities to the City and its residents; and

Whereas, a program to alleviate the aforesaid conditions and accomplish said purposes has been initiated by The Economic Development Corporation of the City of Lansing (the "Corporation"); and

Whereas, the Corporation in conformity with Act No. 338, Public Acts of Michigan, 1974, as amended ("Act No. 338"), has prepared and submitted a project plan for a commercial establishment for use by Quality Dairy Company; and

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Whereas, pursuant to Act No. 338 it is necessary to hold a public hearing concerning said project plan prior to taking legislative action relating to it;

Now, Therefore, Be It Resolved that:

1. Pursuant to the aforesaid Act No. 338 the City Council shall meet on August 3, 1981, at 7:00 o'clock p.m., at which time it shall conduct a public hearing on the Corporation's submission of the project plan.

2. The Clerk be and is hereby directed to give notice of such public hearing by (1) publishing a notice thereof in the Lansing State Journal, a newspaper of general circulation in the City; (2) posting in at least ten (10) conspicuous and public places in the project district area; and (3) mailing to the last known owner of each parcel of real property in the project district area at the last known address of the owner as shown by the tax assessment records, which notices shall be published and given at least ten (10) full days prior to the date set for said hearing.

3. Said notice shall be in substantially the following form:

OFFICIAL NOTICE TO THE CITIZENS OF THE CITY OF LANSING OF PUBLIC HEARING TO CONSIDER APPROVAL OF A PROJECT PLAN AS SUBMITTED TO THE CITY COUNCIL OF THE CITY OF LANSING BY THE ECONOMIC DEVELOPMENT CORPORATION OF THE CITY OF LANSING FOR THE QUALITY DAIRY COMPANY PROJECT

PLEASE TAKE NOTICE that pursuant to Act 338 of the Public Acts of Michigan of 1974, as amended, The Economic Development Corporation of the City of Lansing has submitted a project plan to the City Council for its approval.

Said project plan deals with the construction of a commercial facility for use by Quality Dairy Company and details all information required by law relative to said project and its impact on the community. The project will not require the displacement and relocating of any persons. The location of the project plan area is 2101 West Holmes Road and is comprised of a building presently owned by Quality Dairy Company and vacant land.

The City Council will meet at 7:00 o'clock p.m., Eastern Daylight Time, on Monday, the Third (3rd) day of August, 1981, at the City Council Chambers, City Hall, in the City of Lansing, Michigan, and will conduct a public hearing on the advisability of approving by resolution the project plan.

The City Council may approve, modify or reject said project plan.

THIS NOTICE is given pursuant to the requirements of Sections 10 and 17 of Act No. 338, Public Acts of Michigan, 1974, as amended. Further information, including maps, plats and a description of the proposed project plan, are available for public inspection at the offices of the Economic Development Corporation of the City of Lansing, Ninth Floor, City Hall, Lansing, Michigan.

All interested citizens are encouraged and will be offered an opportunity at said hearing to address the City Council concerning any aspect of said project plan.

THEO FULTON,
City Clerk.

4. The City Council does hereby determine that the foregoing form of notice and the manner of publication directed is adequate notice to the citizens of the City and is well calculated to inform them of the intention of the City Council to hold a public hearing and the purpose of the public hearing.

5. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same hereby are rescinded.

Ayes: Councilmen Adado, Belen, Blair, Gunther, Lindemann, McKane. Worthington—7.

Nays: None.

Resolution declared adopted.

THEO FULTON,
City Clerk.

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City Council of the City of Lansing, County of Ingham, Michigan, at a Regular meeting held on July 13, 1981, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, and that the minutes of said meeting were kept and will be or have been made available as required by said Act.

THEO FULTON,
City Clerk.

50799-70 JKB20h 07/02/81

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PHYSICAL DEVELOPMENT—

Resolved by the City Council of the City of Lansing:

That it is hereby determined to be a matter of public health and necessity to con-

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struct a storm sewer on Orchard Glen Avenue from N. East Street (US-27) to the east end of the street, and that the construction of this improvement is hereby ordered.

And Further, that the estimated cost of this project is to be financed by special assessment to the benefited properties, and

Be It Further Resolved, that the Department of Public Service is hereby directed to prepare as far as necessary, plans and specifications for this project and to estimate in detail, the cost of said project and to furnish said information to the Mayor and City Council.

Adopted by the following vote:

Unanimously.

By COMMITTEE OF THE WHOLE—

Resolved by the City Council of the City of Lansing:

Whereas, the City of Lansing has received and accepted a Grant from the United States Environmental Protection Agency and the State of Michigan for a Step 3 WWTP Improvements, and

Whereas, it has been determined and approved that necessary modifications to the incinerator and sludge digester tank are required, and

Whereas, the United States Environmental Protection Agency has offered the City of Lansing an Amendment to the original Grant, increasing the amount of the Grant by $1,122,675, which represents 75% of the increased cost. The City's share of this Grant Amendment No. 4 would be $299,380, and

Whereas, the work involved is required as defined in 40 CFR 35.938-5.

Now, Therefore, Be It Resolved that the City of Lansing hereby accepts the Grant Offer in the amount stated above, and that Howard G. McCaffery, Director of Public Service as the designated authorized representative, is authorized to sign the acceptance on behalf of the City.

Funds are available in Account Number 571-550-050-962.000, for the City's share of cost in the amount of $299,380.00.

Adopted by the following vote:

Unanimously.

## PUBLIC IMPROVEMENT I

By COMMITTEE ON PHYSICAL DEVELOPMENT—

Resolved by the Mayor and City Council of the City of Lansing:

That it is hereby determined to be a public necessity to construct Storm Sewer in Orchard Glen Avenue from N. East Street (US-27) to the East end of street, as ordered by Council Resolution.

That the Department of Public Service be and hereby is directed to cause to be prepared so far as necessary, diagrams and plats of the whole of said district and/or plans and specifications for such project, and is further directed to estimate in detail the cost of said project, and furnish said information to the Council.

Adopted by the following vote:

Unanimously.

## PUBLIC IMPROVEMENT II

By COMMITTEE ON PHYSICAL DEVELOPMENT—

Resolved by the City Council of the City of Lansing:

That the plans and specifications returned by the Department of Public Service in pursuance of the resolution of this Council,

Resolution Date—6/22/81 (ordered)

P.S. No. 68004—Sanitary

Property Benefited: All lands fronting on Aurelius Rd. from existing sewer at Worden St. north to Wayne St., excepting all public streets and alleys and other lands deemed not benefited.

Resolution Date—6/22/81 (ordered)

P.S. No. 68024—Sanitary

Property Benefited: All lands fronting on Irene St. from Aurelius Rd. to the East end of street, excepting all public streets and alleys and other lands deemed not benefited.

Resolution Date—6/22/81 (ordered)

P.S. No. 68012—Sanitary

Property Benefited: All lands fronting on Wayne Street from Aurelius Rd. to the East end of street, excepting all public streets and alleys and other lands deemed not benefited.

Resolution Date—6/22/81

P.S. No. 68047—Sanitary

Property Benefited: All lands fronting on Richard Rd. from Edgewood Rd. to the South end (I-96), excepting all public streets and alleys and other lands deemed not benefited.

be received, approved and placed on file.

The Engineer's estimated expense of said improvements are as follows:

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Project No. P.S. 68004—

SANITARY

| | |
|---|---|
| Intersection and City Contribution | $ 2,700.00* |
| Assessable to Property Owners | 75,800.00 |
| Total Project Cost | $78,500.00 |

STUBS

| | |
|---|---|
| Intersection and City Contribution | $ 0.00 |
| Assessable to Property Owners | 8,200.00 |
| Total Project Cost | $ 8,200.00 |

TOTALS

| | |
|---|---|
| Intersection and City Contribution | $ 2,700.00 |
| Assessable to Property Owners | $84,000.00 |
| Total Project Cost | $86,700.00 |

*590-536-608-974

That the Purchasing Director be directed to advertise and let for bid the specifications for said projects as submitted by the Department of Public Service.

That the City Assessor be, and is directed, to make special assessment installment rolls, based upon bids to be received and other related costs of construction, and return same to the City Council.

All projects are a part of the Irene and Other Sanitary Sewers Contract, P.S. No. 68004.

I hereby certify that funds are available and encumbered for the City of Lansing's share of said project.

STEPHEN W. DUARTE,
City Controller.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PHYSICAL DEVELOPMENT—

Resolved by the City Council of the City of Lansing:

That the plans and specifications returned by the Department of Public Service in pursuance of the resolution of this Council,

Resolution Date—6/22/81

P.S. No. 74064—Storm

Property Benefited: All lands fronting on Midwood St. between Pleasant Grove Road and Wise Road, excepting all public streets and alleys and other lands deemed not benefited.

Resolution Date—6/22/81

P.S. No. 74066—Storm

Property Benefited: All lands fronting on Renee Street from Midwood Street to the South end, excepting all public streets and alleys and other lands deemed not benefited.

be received, approved and placed on file.

The Engineer's estimated expense of said improvements are as follows:

Project No. P.S. 74064

STORM

| | |
|---|---|
| Intersection and City Contribution | $ 32,800.00* |
| Assessable to Property Owners | 74,200.00 |
| Total Project Cost | $107,000.00 |

*101-936-617-973

That the Purchasing Director be directed to advertise and let for bid the specifications for said projects as submitted by the Department of Public Service.

That the City Assessor be, and is directed, to make special assessment installment rolls, based upon bids to be received and other related costs of construction, and return same to the City Council.

All projects are a part of the Midwood-Renee Storm Sewer Contract, P.S. No. 74064.

I hereby certify that funds are available and encumbered for the City of Lansing's share of said project.

STEPHEN W. DURATE,
City Controller.

Adopted by the following vote:

Unanimously.

PUBLIC IMPROVEMENT IV

By COMMITTEE ON PHYSICAL DEVELOPMENT—

Resolved by the City Council of the City of Lansing:

That the special assessment roll for Storm and Sanitary Sewers,

Assessment Roll No. 282—Storm

P.S. No. 74049

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Property Benefited: All lands fronting on Newark Ave. from Pleasant Grove Rd. westerly to the W. property line of 3301 Newark, excepting all public streets and alleys and other lands deemed not benefited.

Assessment Roll No. 282—Storm and Sanitary

P.S. No. 76105

Property Benefited: All lands fronting on Curry Lane from Kaynorth St. to the west end of street, excepting all public streets and alleys and other land deemed not benefited.

as returned by the City Assessor be and the same is hereby ratified and confirmed, and the Mayor be and hereby is directed to affix within ten days, his warrant directing the City Treasurer to collect said tax on or before the 13th day of October, 1981.

All projects are a part of the Curry Lane and Other Storm and Sanitary Sewers Contract, P.S. No. 76105.

Adopted by the following vote:

Unanimously.

## ORDINANCES

By COUNCILMAN LINDEMANN—

The Committee reported that it had considered an ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by:

Repealing of Section 59 of Chapter 27 of the Code of Ordinances for the purpose of updating license requirements for drain and sewer layers and sewer cleaners to comply with State and Federal Law

Adding Sections 35-1 through 35-9 to the code (Lansing Weights and Measures Ordinanc).

Adding a new Section 59 for the purpose of updating the license requirements for drain and sewer layers and sewer cleaners to comply with State and Federal Law.
and recommended that the ordinanc be passed.

Carried.

## ORDINANCE NO. 601

**(Drain and Sewer Layers Ordinance)**

By COUNCILMAN LINDEMANN—

Resolved by the City Council of the City of Lansing, that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by adding a new Section 59 for the purpose of updating the license requirements for drain and sewer layers and sewer cleaners to comply with State and Federal Law, be placed on order of immediate passage.

Carried.

By COUNCILMAN LINDEMANN—

Resolved by the City Council o fthe City of Lansing, that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by adding a new Section 59 for the purpose of updating the license requirements for drain and sewer layers and sewer cleaners to comply with State and Federal Law, be now passed.

Adopted by the following vote:

Unanimously.

## ORDINANCE NO. 601

By COUNCILMEN LINDEMANN AND McKANE—

Resolved by the City Council of the City of Lansing, that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by repealing of Section 59 of Chapter 27 of the Code of Ordinances for the purpose of updating license requirements for drain and sewer layers and sewer cleaners to comply with State and Federal Law be placed on order of immediate passage.

Carried.

By COUNCILMEN LINDEMANN AND McKANE—

Resolved by the City Council of the City of Lansing, that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by repealing of Section 59 of Chapter 27 of the Code of Ordinances for the purpose of updating license requirements for drain and sewer layers and sewer cleaners to comply with State and Federal Law be now passed.

Adopted by the following vote:

Unanimously.

## ORDINANCE NO. 601

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, PROVIDING FOR THE REPEAL OF SECTION 59 OF CHAPTER 27 OF THE CODE OF ORDINANCES FOR THE PURPOSE OF UPDATING LICENSE REQUIREMENTS FOR DRAIN AND SEWER LAYERS AND

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SEWER CLEANERS TO COMPLY WITH STATE AND FEDERAL LAW.

The City of Lansing Ordains:

Section 1. That Section 59 of Chapter 27 of the Code of Ordinances of Lansing, Michigan, is hereby repealed and declared null and void and of no effect.

## ORDINANCE NO. 602

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, PROVIDING THAT CHAPTER 27 OF THE CODE OF ORDINANCES OF THE CITY OF LANSING, MICHIGAN, BE AMENDED BY ADDING A NEW SECTION 59 FOR THE PURPOSE OF UPDATING THE LICENSE REQUIREMENTS FOR DRAIN AND SEWER LAYERS AND SEWER CLEANERS TO COMPLY WITH STATE AND FEDERAL LAW.

The City of Lansing Ordains:

Section 1. That Chapter 27 of the Code of Ordinances of the City of Lansing, Michigan, is hereby amended by adding a new Section 59 to read as follows:

Sec. 59. **License Requirements, Drain and Sewer Layers, Sewer Cleaners.**

No person, except Master Plumbers licensed by the State of Michigan who register their license with the City of Lansing, shall for hire lay any sewer or drain, clean any sewer ,make any alterations or repairs on any existing sewer, tap or make connection with any public sewer or identify themselves as "drain or sewer layers" or "sewer cleaners" within the City of Lansing unless such person makes application to the City of Lansing Public Service Department and is licensed and insured in accordance with the provisions of this section.

A. **Drain and Sewer Layers.**

1. **Examination Required.** Every person must successfully complete a written examination before a license shall be issued. Each applicant shall include, with the application, sufficient proof as determined by the City of Lansing Plumbing Board of a minimum of 4000 hours of practical work experience under the supervision of a contractor performing the work of a Drain and Sewer Layer. The Plumbing Board may require that an applicant furnish a notarized statement from a present or former employer indicating that the applicant possesses the requisite practical work experience. Practical work experience is deemed to be the on-job use of appropriate conventional tools and machines to physically perform the work, all or in part, of installing, field fabrication and assembling, fitting and adapting, of materials necessary for making drain or sewer installations. Upon verification and approval of the applicant's work experience by the City Chief Plumbing Inspector and/or the City Engineer, a written examination shall be administered by the Plumbing Board on the next scheduled examination date. A minimum score of seventy (70%) percent is required for passage. Persons unsuccessfully scoring in the examination shall be permitted to retake the examination with such additional attempts being permitted only after a waiting period of six (6) months after having last taken the examination.

2. **Liability Insurance.** Every person, firm, or corporation engaged in the business of installing sewers and drains in accordance with the provisions as set forth in this sectoin shall file with the City Clerk proof of a public liability insurance policy insuring said person, firm, or corporation against any liability imposed upon such person, firm, or corporation arising out of the performance of such work. Such policy shall provide for the payment of up to One Hundred Thousand Dollars ($100,000.00) in the event of injury to or death of any one (1) person and for payment of up to Three Hundred Thousand Dollars ($300,000.00) in the event of injury to or death of more than one (1) person and for the payment of up to One Hundred Thousand Dollars ($100,000.00) for property damage. Such policy shall carry the City of Lansing as an additional insured and shall bear an endorsement to the effect that the insurance company shall notify the City Clerk a minimum of twenty (20) days prior to the cancellation or expiration of such policy.

3. **License Issuance.** The Public Service Department shall process all license applications and upon compliance with the provisions in this section the City Clerk shall issue the proper lisence to the applicant. All licenses shall be filed with the City Clerk and accompanied by a certificate of liabiilty insurance and the appropriate license fee. All licenses shall expire on April 30 of each year. Renewal applications submitted in excess of two (2) years after expiration of a valid license shall be treated as new applications. The following fees shall be charged for all licenses as called for by this section.

Initial fee ..... $25.00

Renewal fee ..... $20.00

4. **License Revocation/Non-renewal.** The Plumbing Board may, after consultation with the Public Service Department and the City Attorney and a hearing conducted pursuant to this section, recommend to the City Council that a license issued pursuant to this section be revoked for violation of Chapter 27 of the Lansing City Code by the Licensee or its agents or employees. Prior to such recommendation, the Plumbing Board shall serve notice in writing on the holder of the license of the time, date, and place of the hearing. The notice shall be served upon said licensee a minimum of ten (10) days before the scheduled hearing and shall contain a reasonably definite statement of the section of Chapter 27 of the Lansing City Code alleged to have been violated. The notice shall inform said licensee that he may appear in person with

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or without counsel, or through a representative of his choice, may produce witnesses on his own behalf and shall have the right to cross-examine witnesses who testify against him. Any hearing conducted by the Plumbing Board pursuant to this section shall include a full consideration of the issues involved and a determination of facts on the basis of evidence presented. If, after a proper hearing, the Plumbing Board determines that a license should be revoked, it shall, within five (5) days, notify the City Council in writing of their findings with a recommendation that the license be revoked.

B. Sewer Cleaners.

1. **Experience Required.** Each applicant shall include, with the application, sufficient proof as determined by the City of Lansing Public Service Department that the applicant has had at least one (1) year of practical experience as a sewer cleaner under the supervision of a person engaged in the work of a sewer cleaner and is knowledgeable in the operation of all equipment necessary to accomplish a satisfactory cleaning job. The Public Service Department may require an applicant to furnish a notarized statement from a present or former employer indicating that the applicant possesses the requisite knowledge and practical work experience.

2. **Surety Bond or Liability Insurance.** Every person, firm, or corporation engaged in the business of cleaning sewers in accordance with the provisions as set forth in this section shall file with the City Clerk proof of one of the following:

A. A surety bond, issued by a corporate bonding company authorized to do business in the state, in the penal sum of twenty thousand dollars ($20,000.00), conditioned upon the licensee's faithful compliance with the laws and ordinances of the city governing sewer cleaners. Such bond shall bear an endorsement to the effect that the corporate company shall notify the City Clerk a minimum of twenty (20) days prior to the cancellation of or expiration of such surety bond.

B. A public liability insurance policy insuring said licensee against any liability imposed upon said licensee which arises out of the performance of such work. Such policy shall provide for the payment of up to Ten Thousand Dollars ($10,000.00) in the event of injury to or death of any one (1) person and for the payment of up to Twenty Thousand Dollars ($20,000.00) in the event of injury to or death of more than one (1) person and for the payment of up to Ten Thousand Dollars ($10,000.00) for property damage. Such policy shall carry the City of Lansing as an additional insured and shall bear an endorsement to the effect that the insurance company shall notify the City Clerk a minimum of twenty (20) days prior to the cancellation or expiration of such policy.

3. **License Issuance.** The Public Service Department shall process all license applications and upon compliance with the provisions in this section the City Clerk shall issue the proper license to the applicant. All licenses shall be filed with the City Clerk and accompanied by a surety bond or a certificate of liability insurance and the appropriate license fee. All licenses shall expire on April 30 of each year. Renewal applications submitted in excess of two (2) years after expiration of a valid license shall be treated as new applications. The following fees shall be charged for all licenses as called for by this section.

Initial fee ..... $25.00

Renewal fee ..... $20.00

4. **Equipment Removal.** Sewer cleaners shall take all reasonable steps to remove their cable and other equipment from drains, pipes, and sewers in the event of breakage.

5. **License Revocation/Non-renewal.** The Public Service Director may, after consultation with the City Attorney and a hearing conducted pursuant to this section, recommend to the City Council that a license issued pursuant to this section be revoked for violation of Chapter 27 of the Lansing City Code by the licensee or its agents or employees. Prior to such recommendation, the Public Service Director shall serve notice in writing on the holder of the license of the time, date, and place of the hearing. The notice shall be served upon said licensee a minimum of ten (10) days before the scheduled hearing and shall contain a reasonably definite statement of the section of Chapter 27 of the Lansing City Code alleged to have been violated. The notice shall inform said licensee that he may appear in person with or without counsel, or through a representative of his choice, may produce witnesses on his own behalf and shall have the right to cross-examine witnesses who testify against him. Any hearing conducted by the Public Service Director pursuant to this section shall include a full consideration of the issues involved and a determination of facts on the basis of evidence presented. If, after a proper hearing, the Public Service Director determines that a license should be revoked, he shall, within five (5) days, notify the City Council in writing of his findings with a recommendation that the license be revoked.

C. Any license issued to a drain and sewer layer or sewer cleaner prior to the effective date of his ordinance shall remain in full force and effect subject to the provisions of this chapter then existing until such time as the license shall expire.

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance shall take effect thirty (30) days from its passage unless given immediate effect by the City Council.

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ORDINANCE NO. 603

(Lansing Weights and Measures Ordinance)

By COUNCILMAN LINDEMANN—

Resolved by the City Council of the City of Lansing, that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by adding sections 35-1 through 35-9 to the code (Lansing Weights and Measures Ordinance), be placed on order of immediate passage.

Carried.

By COUNCILMAN LINDEMANN—

Resolved by the City Council of the City of Lansing, that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by adding sections 35-1 through 35-9 to the code (Lansing Weights and Measures Ordinance), be now passed.

Adopted by the following vote:

Unanimously.

ORDINANCE NO. 603

CHAPTER 35

Lansing Weights and Measures Ordinance

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, PROVIDING THAT CHAPTER 35 OF THE CODE OF ORDINANCES, CITY OF LANSING, MICHIGAN, BE AMENDED BY ADDING SECTIONS 35-1 THROUGH 35-9.

The City of Lansing Ordains:

That Sections 35-1 through 35-9 of the Code of Ordinances of the City of Lansing, Michigan, be adopted to read as follows:

SECTION 35-1. LANSING WEIGHTS AND MEASURES ORDINANCE

This Chapter together with Act No. 283, Public Acts of 1964, as amended, adopted hereby, shall hereinafter be known as the "Lansing Weights and Measures Ordinance."

SECTION 35-2. ADOPTION OF STATE ACT

That certain documents or booklet accompanying this chapter, an official copy of which is onfile in the office of the City Clerk of the City of Lansing being marked and designated as the "Weights and Measures Act of 1964" (Act No. 283, P.A. of 1964, as amended) is hereby adopted.

This act to regulate and provide standards for Weights and Measures, and the packaging and advertising of certain commodities, to provide for a Sealer of Weights and Measures and other inspectors of weights and Measures as may be required to provide a fee system for certain inspections and tests; to provide penalties for fraud and deception in the use of false weights and measures and other violatoins.

SECTION 35-3. CREATION OF SEALER OF WEIGHTS AND MEASURES DIVISION WITHIN THE DEPARTMENT OF BUILDING SAFETY AND DEVELOPMENT AS FOLLOWS

**Sealer of Weights and Measures Division created.** There is hereby created within the Department of Building Safety and Development a Sealer of Weights and Measures Division which shall be under the administration and operational control of the Director of Building Safety and Development. The Division shall consist of the Sealer of Weights and Measures and such other employees as may be necessary to carry out the work of the Division. They shall perform such duties as shall be prescribed by the Director of Building Safety and Development and shall devote their entire time to the work of the Department.

SECTION 35-4. FILLING STATION LICENSE REQUIRED

No person, firm, or corporation shall establish or maintain a filling station in the City unless he is the holder of a license issued therefore as herein provided.

(a) **Filling station** shall mean and include any place at which motor fuel is sold or offered for sale in the City.

(b) **Motor Fuel and Gasoline** shall each be construed to mean and include any liquid advertised, offered for sale ,sold or delivered for use in generating power for the propulsion of motor vehicles along and upon the highways of this state.

(c) **Application, approval; issuance.** Application for such license shall be made upon a form prescribed by the sealer of weights and measures and filed with the City Clerk and there shall accompany each application the fee therefore. There shall be stated upon such application the location of the filling station and the number and capacity of the tanks and gasoline dispensing units located or maintained in connection therewith. Each gasoline filling station and all signs maintained in connection therewith or advertising gasoline for sale at such gasoline filling stations shall comply with the provisions of all ordinances of the City. The sealer of weights and measures shall investigate and determine whether or not the provisions of such ordinances are complied with, and if so, endorse upon such application his approval of the issuance of such license. No license shall be issued until the approval of the sealer of weights and measures has been endorsed upon such application.

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(d) **Fees, expiration date, transfer, revocation, displaying.** The fee for such license shall be five dollars for each dispensing unit located or maintained in connection with the station, with a minimum fee of twenty dollars per station. All multiple pumps shall be fifteen dollars per pump. Every license so issued shall automatically expire on the thirtieth day of April, next following. It shall be unlawful for any owner lessse or person to sell or offer for sale any motor fuel as herein defined unless a license is issued as herein provided and is unrevoked. This license may be issued to company, owner or lessee operated stations and is not transferable. The license issued shall be conspicuously displayed in such gasoline filling station during the time it remains in force.

SECTION 35-5. WATER AND SLUDGE IN TANKS

It shall be a violation of this chapter to allow such an accumulation of water or sludge in the bottom of station tanks in which inflammable liquids are stored for sale either at wholesale or retail to the extent that such liquids when drawn by the pump or other device shall be contaminated by such water or sludge.

SECTION 35-6. VEHICLE TANK METER REQUIREMENT

Meters installed on vehicle tanks shall conform to all applicable requirements of this chapter and shall be equipped with an approved print-ticket devise.

SECTION 35-7. VEHICLE TANKS—USE FOR MOTOR FUEL, FUEL OIL OR DRY CLEANING FLUID; LICENSE

No vehicle tank shall be used for the purpose of delivery of either motor fuel, fuel oil or dry cleaning fluid, either to retailers or to consumers in the city unless the owner thereof is the holder of an unexpired and unrevoked license or a temporary permit issued therefor in accordance with the terms of this article. Application for such license shall be filed with the city clerk upon a form to be prescribed by the sealer of weights and measures and there shall accompany each application the fee therefor. The fee for the license issued for any vehicle shall be twenty dollars. No such license shall be issued until the application therefor has been approved by the sealer of weights and measures. Every license so issued shall automatically expire on the thirtieth day of April, next following.

The applicant shall cause such vehicle tank to be produced at such place as may be designated by the sealer of weights and measures and adequate opportunity afforded him for testing the same in the manner herein provided prior to the issuance of such license and at such other times as he may indicate. In the event that such vehicle tank is in any way damaged or involved in any accident, the same shall not be used for further measuring or delivering of motor fuel, fuel oil, or dry cleaning fluid until same has again been inspected and approved by the sealer of weights and measures. In the event that any vehicle tank for which a license is issued hereunder and remains unexpired and unrevoked cannot be operated for any reason, the sealer of weights and measures may issue without fee therefor a permit authorizing the use and operation of another vehicle tank which complies with the qualifications and requirements of this article for a period not to exceed ten days.

The license issued shall be carried in the vehicle at all times while it remains in force and shall be displayed to any person for examination upon request. At the time of issuing such license the city clerk shall also issue to the holder thereof a suitable plate in form as prescribed by the sealer of weights and measures for fastening upon such vehicle tank adjacent to the rear vehicle license plate. No such plate shall be affixed to or displayed upon a vehicle tank, the owner of which is not then the holder of an unexpired and unrevoked license covering such tank. In the event of the violation of this provision, both the owner and operator of such unlicensed vehicle tank shall be deemed guilty of a violation of this article.

SECTION 35-8. LICENSE REVOCATION/ NON-RENEWAL

The Director of Building Safety and Development may, after a hearing conducted pursuant to this section, recommend to the city council that a license issued pursuant to this chapter be revoked or not renewed for violation of any provision of this chapter by a licensee or its agents or employees. A minimum of ten (10) days before said hearing, the Director of Building Safety and Development shall serve notice in writing to the holder of the license of the time, date and place of the hearing. The notice shall contain a reasonably definite statement of the section(s) of this chapter alleged to have been violated and shall inform said licensee that he may appear in person with or without counsel or through a representative of his choice, may produce witnesses on his own behalf and shall have the right to cross-examine witnesses who testify against him. Any hearing pursuant to this section shall be held by the Director of Building Safety and Development or his designee(s) and shall include a full consideration of the issues involved and a determination of facts on the basis of evidence presented. If, after a proper hearing, the Director of Building Safety and Development determines that a license should be revoked or refused renewal, the Director shall, within five (5) days, notify the city council in writing of all findings with a recommendation that the license be revoked or refused renewal.

SECTION 35-9. FEES

The Department of Building Safety and Development shall annually review and recommend changes to licensing fees as

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established by this ordinance with the advice and consent of the Building Board of Appeals. The City Council may adjust fees based on the current cost of operation by means of a resolution adopted at a regular Council meeting.

SECTION 35-10. SEVERABILITY

The sections, paragraphs, sentences, clauses, and phrases of this ordinance are severable, and if any phrase, claus, sentence, paragraph, or section of this ordinance shall be declared invalid by the judgement or decree of any court of competent jurisdiction, such invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this ordinance.

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance shall take effect thirty (30) days from its passage unless given immediate effect by the City Council.

By COUNCILMAN GUNTHER—

Resolved by the City Council of the City of Lansing:

That Councilman Brenke be excused from the session.

Carried.

REMARKS BY THE MAYOR'S EXECUTIVE ASSISTANT

No remarks.

REMARKS BY THE CITY COUNCIL

Councilman Blair spoke re: project of George Mills.

Councilman Worthington spoke relative to Capitol Commons area and said Mayor Graves had appointed Richard Letts the person responsible for monitoring the project.

The following persons spoke relative to Aurelius Landfill for sports arena:

Kevin Hogan, 311 Edgewood Blvd., spoke re: Aurelius Landfill area for sports arena.

Elizabeth McGinnis, 515 W. Miller Rd., and presented statement.

Ann L. Alchin, 608 Hamilton, and presented statement.

Richard Lilly, 900 Long Blvd.

Mr. Simons, 1120 Maplehill, asked about his claim he filed.

Mrs. West spoke.

By COUNCILMAN GUNTHER—

That this meeting stand adjourned.

Carried.

Council adjourned at 7:50 p.m.

THEO FULTON,
City Clerk.

Lansing, Michigan

July 13, 1981

F/B

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Lansing, Michigan 48933

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# OFFICIAL PROCEEDINGS OF
# THE CITY COUNCIL
## OF THE CITY OF LANSING

## Proceedings, July 20, 1981

CITY COUNCIL ROOMS

Lansing, Michigan
July 20, 1981

The City Council of the City of Lansing, Michigan, met in regular session and was called to order by President Belen.

Present: Councilmen Belen, Blair, Brenke, Gunther, Lindemann, McKane, Worthington—7.

Absent: Councilman Adado—1.

The Clerk announced that a quorum of the Council was present.

Invocation was given by Councilman Gunther.

Pledge of Allegiance was led by Jeffrey Dugan.

By COUNCILMAN GUNTHER—

That the council proceedings of June 22, 29, and July 6, 1981 be approved.

Carried.

By COUNCILMAN GUNTHER—

Resolved by the City Council of the City of Lansing:

That the rules of the Council be waived for the purpose of presenting resolutions relative Collegium Musicum Instrumentale from Justus Liebicy University of Giessen, in Giessen, West Germany, and Der Linzer Madchenchor of Linz, Austria, under direction of Professor Eva Schmitz. Both are touring Michigan as part of the Blue Lake Fine Arts Camp International program.

By COUNCILMAN BELEN—

Resolved by the City Council of the City of Lansing:

Whereas, the Collegium Musicum Instrumentale from the Justus Liebicy University of Giessen in Giessen, West Germany is touring Michigan as part of the Blue Lake Fine Arts Camp International Program; and

Whereas, the Collegium Musicum Instrumentale visited Lansing, Michigan, from July 18, 1981 to July 21, 1981; and

Whereas, the Collegium Musicum under

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the direction of Professor Gottlob Ritter performed in public concert for the enjoyment of Lansing residents and the members undertook their desire for international friendship and goodwill through home visits with Lansing area families; and

Whereas, the Collegium Musicum Instrumentale has demonstrated a superior and highly commendable commitment to the fine arts international friendship and goodwill;

Now, Therefore, Be It Resolved that the Lansing City Council commends and congratulats the Collegium Musicum for their outstanding accomplishments and declares Monday, July 20, 1981 as:

COLLEGIUM MUSICUM INSTRUMENTALE DAY IN LANSING

and;

Be It Further Resolved that a copy of this resolution be presented to Professor Gottlob Ritter and the Collegium Musicum Instrumentale as evidence of the high regard in which they are held by the people of the City of Lansing.

Adopted by the following vote:

Unanimously.

By COUNCILMAN BELEN—

Resolved by the City Council of the City of Lansing:

Whereas, Der Linzer Madchenchor of Linz, Austria is touring Michigan as part of the Blue Lake Fine Arts Camp International Program; and

Whereas, Der Linzer Madchenchor visited Lansing, Michigan, from July 20, 1981 to July 22, 1981; and

Whereas, Der Linzer Madchenchor under the direction of Professor Eva Schmitz performed in public concert for the enjoyment of Lansing residents and the members undertook their desire for international friendship and goodwill through home visits with Lansing area residents; and

Whereas, Der Linzer Madchenchor has demonstrated a superior and highly commendable commitment to the fine arts and international friendship and goodwill;

Now, Therefore, Be It Resolved the Lansing City Council commends and congratulates Der Linzer Madchenchor for their outstanding accomplishments and declares Tuesday, July 21, 1981 as:

DER LINZER MADCHENCHOR DAY IN LANSING

and;

Be It Further Resolved, that a copy of this resolution be presented to Professor Eva Schmitz and Der Linzer Madchenchor as evidence of the high regard in which they are held by the people of the City of Lansing.

Adopted by the following vote:

Unanimously.

Cindy Baker, 1238 Leslie St., representing the ACORN, spoke in regard to the boundaries of the Citizens District Council No. 2 area and feel that Clemens and Regent streets should be included in the boundaries and feel that they should be allowed to vote in the upcoming election July 21, 1981.

Referred to Committee on Physical Development.

PUBLIC HEARING

July 20, 1981 at 7:00 o'clock being the time set as the time for holding a public hearing on the proposed establishment of a Lansing Commercial Redevelopment District for Quality Dairy Company—2121 W. Holmes Rd.

The Council President announced that if there was anyone present who had any suggestion or objections to make to the proposed district they had the privilege of speaking at this time.

Stephen St. Amart, 5810 S. Cedar St., spoke for Tony Nosal, opposing this development.

Referred to Committee on Economic Development.

PUBLIC HEARING

July 20, 1981 at 7:00 o'clock being the time set as the time for holding a public hearing on the proposed demolition of property at 525 E. Michigan Avenue.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed demolition they had the privilege of speaking at this time.

William Sevore, 3800 Cadillac Tower, Detroit, Mich., Attorney, spoke on behalf of the owner of this property.

Referred to Committee on General Services.

PUBLIC HEARING

July 20, 1981 at 7:00 o'clock being the time set as the time for holding a public hearing on the proposed demolition of property at 816 N. Pennsylvania Avenue.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the pro-

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posed demolition they had the privilege of speaking at this time.

Referred to Committee on General Services.

## PUBLIC HEARING

July 20, 1981 at 7:00 o'clock being the time set as the time for holding a public hearing on the proposed demolition of properyt at 2001 Turner St.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed demolition they had the privilege of speaking at this time.

Referred to Committee on General Services.

**THE PUBLIC MAY NOW ADDRESS THE CITY COUNCIL ON ANY OF THE FOLLOWING ITEMS LISTED ON THE AGENDA: COMMUNICATIONS AND PETITIONS, COMMITTEE REPORTS, REPORTS OF CITY OFFICERS AND BOARDS, AND RESOLUTIONS. YOU MAY SPEAK ONLY FOR 3 MINUTES ON ANY ONE ITEM.**

No person spoke.

## COMMUNICATIONS AND PETITIONS

The following applications and bonds have been filed for licenses:

PUBLIC DRIVERS —
John David Stallcup, Frederick Hicks.

MECHANICAL DEVICE —
Amber Laundry Colony.

Referred to Committee on General Services.

The following claims have been filed:

Roy N. Pelkey for damage to his motorcycle due to hitting a chuck hole.

Julie Koenig for injuries sustained to her daughter, Jodie L. Koenig, at Potter Park when she was jumped on by a goat causing head and abdominal injuries.

Soek C. Song for damage done to roof of car when a parking arm at the S. Washington Parking Mall came down on same.

Referred to Mayor, City Attorney.

Letter from Thomas A. Bengtson, Attorney for William Wood, in regard to assessment of property at 633 Barnard St.

Referred to Mayor, City Attorney, City Assessor.

Request from The Westside Sportsman Club for special 24-hour liquor permit for August 8, 1981, National Guard Armory.

Referred to Mayor, Committee on General Services.

Letter from Nancy A. Rugg in regard to conditions that exist around the Hollister Building due to pigeons.

Referred to Mayor.

Petition filed for rezoning:
Z-26-81 —

The South 92 feet of Lot 59, Jessop's Home Gardens, a subdivision of a part of Section 33, City of Lansing, Ingham County, Michigan, from "A" One Family Residential District to "F" Commercial District — (406 Fenton Street—the south 92 feet only).

Referred to Mayor, Planing Board.

Arthur Irish of Irish Development request final plat approval on plat of Irish Gardens.

Referred to Mayor, Planning Board.

Letter from Michigan Bell Telephone Company in regard to the vacation of the utilities easement on Stonewood Dr.

Referred to Mayor.

Liquor Control Commission submits request from Lansing Federation of Musicians for a New Dance Permit to be held in conjunction with proposed new club license at 2703 N. Turner St.

Referred to Mayor, Committee on General Services.

Lansing Regional Chamber of Commerce request a resolution from the City of Lansing declaring the week of August 23-29, 1981 as the Second Annual Small Business Assistance Week in the Lansing Region.

Referred to Mayor.

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State of Michigan — Department of Natural Resources submits application for a flood plain permit for Mr. Paul D. Smith.

Received and placed on file.

State of Michigan—Michigan Public Service Commission submits notice of hearing in the matter of the proceedings on the Commission's own motion, to implement provisions set forth in Title II, Section 210, Cogeneration and Small Power Production of the Public Utility Regulatory Policies Act.

Received and placed on file.

**MAYOR'S EXECUTIVE ASSISTANT COMMENTS ON ANY ITEM ON THE AGENDA:**

No comment.

**REPORTS OF COMMITTEES**

The COMMITTEE ON GENERAL SERVICES approves the following applications and bonds for licenses:

PUBLIC DRIVERS —

John David Stallcup, Frederick Hicks.

MECHANICAL DEVICE —

Amber Loundry Colony.

Signed:

WILLIAM A. BRENKE,
PAT LINDEMANN,
TERRY J. McKANE,
Committee on General Services.

By COUNCILMAN BRENKE—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

The COMMITTEE ON PUBLIC PROPERTIES AND SAFETY, to whom was referred the matter of Gerald W. Graves Park, reports as follows:

In our meeting of July 14th, the committee discussed the progress of the park with a representative of the Coachlight Commons neighborhood. The committee hereby requests the administration to direct the Planning Department to conduct an Environmental Assessment of the property and provide the Public Properties and Safety committee with a statement no later than July 28th, 1981.

Signed:

PAT LINDEMANN,
SIDNEY P. WORTHINGTON,
JAMES D. BLAIR.
Committee on Public Properties and Safety.

By COUNCILMAN LINDEMANN—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

The COMMITTEE ON WAYS & MEANS, to whom was referred the request of Frank Tafel to have the wages for softball scorekeepers increased, reports as follows:

That it has met with Mr. Tafel, the Parks Director and other appropriate administrators to discuss this request. This request is also being reviewed by the Parks Board and the Committee believes that the Parks Board and Administration should give favorable consideration to a graduated wage scale for scorekeepers. It further recommends that this be done in conjunction with the establishment of team fees and budget for next year since the current season is now ending.

Signed:

TERRY J. McKANE,
WILLIAM A. BRENKE,
JACK D. GUNTHER,
Committee on Ways and Means.

By COUNCILMAN McKANE—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

The COMMITTEE ON PHYSICAL DEVELOPMENT, to whom was referred the rezoning petition for property at Z-3-81 — 710, 712, 714, 716, 720, 722, 728, 732, 738, 742, 748, 800 and 804 Center Street, 402 East Saginaw Street and 723, 727, 731, 735, 739, 743, 751 N. Cedar Street from "C" Two Family Residential, "E" Apartment Shop, "G-2" Wholesale and "H" Light Industrial Districts to "G" Business and "F" Commercial Districts, reports as follows:

That said rezoning be approved.

Signed:

SIDNEY P. WORTHINGTON,
LUCILE BELEN,
WILLIAM A. BRENKE,
Committee on Physical Development.

By COUNCILMAN WORTHINGTON—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

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The COMMITTEE ON PHYSICAL DEVELOPMENT, to whom was referred the rezoning petition Z-15-81 for property at vacant land formerly known as 2605 East Cavanaugh Rd. from "E-2" Drive In Shop District to "DM" Multiple Dwelling District, reports as follows:

That said rezoning be approved.

Signed:

SIDNEY P. WORTHINGTON,
LUCILE BELEN,
WILLIAM A. BRENKE,
Committee on Physical Development.

By COUNCILMAN WORTHINGTON—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

The COMMITTEE ON PHYSICAL DEVELOPMENT, to whom was referred the rezoning petition Z-12-81 for property at 736 Center Street from "C" Two Family Residential District to "G" Business and "F" Commercial Districts, reports as follows:

That said rezoning be approved.

Signed:

SIDNEY P. WORTHINGTON,
LUCILE BELEN,
WILLIAM A. BRENKE,
Committee on Physical Development.

By COUNCILMAN WORTHINGTON—

That the report of the Committee be adopted.

Adopted bythe following vote:

Unanimously.

## REPORTS OF CITY OFFICERS AND BOARDS

July 14, 1981

Honorable Gerald W. Graves
and Members of the Lansing City Council
City Hall
Lansing, Michigan 48933

Re: Claim of Fred Sandberg in the amount of $63.97

Dear Mayor Graves and
Members of City Council:

This claim has been referred t oour office for investigation and recommendation. The claimant alleged that on the night of February 24, 1981 while traveling on Miller Road in a vehicle driven by his wife, his vehicle struck a pothole located approximately 100 yards east of Pennsylvania Avenue on the north side of Miller Road rupturing the front tire and causing it to go flat. Claimant submitted a bill of sale for one tire in the amount of $63.97.

Mr. Howard G. McCaffery, Director of the Public Service Department, informed this office that his department received a call from Mr. Sandberg at 8:41 a.m. February 25, 1981, notifying of the pothole just east of Pennsylvania on Miller Road. He stated that a search of records failed to reveal any previous complaint or calls at this location. MCLA 691.1402; MSA 3.996(102) provides in part:

> "Each governmental agency having jurisdiction over any highway shall maintain that highway in reasonable repairs so that it is reasonably safe and convenient for public travel. Any persons sustaining bodily injury or damage to his property by reason of failure of any governmental agency to keep any highway under its jurisdiction in reasonable repair and in a condition reasonably safe and fit for travel, may recover the damage suffered by him from such governmental agency."

MCLA 691.1403; MSA 3.996(103) further provides in part:

> "No governmental agency is liable for injuries or damages caused by defective highways unless the governmental agency knew, or in the exercise of reasonable diligence should have known, of the existence of the defect and had a reasonable time to repair the defect before the injury took place."

It appears that the City had no prior notice of the defect in the street on the date and time of the alleged incident, and, further, there is no allegation or evidence of lack of reasonable diligence in the discovery and repair of the defect. Therefore, it is the recommendation of this office that the claim be denied.

Respectfully submitted,

STEPHEN R. SAWYER,
City Attorney.

By COUNCILMAN WORTHINGTON—

That we concur in the recommendation of the City Attorney and said claim be denied.

Carried.

DATE: 7-9-81

TO: President Belen and Members,
City Council

FROM: Police Chief Richard A. Gleason

SUBJECT: Parade Applications

Attached are applications for the three

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below-described parades which are being sent to you for final action.

#1—Take Back the Night Collective, scheduled for 7:15 P.M. on Tuesday, July 28, 1981, costing the City a total of $76.03, which represents one sergeant, three officers and four vehicles for one hour.

#2—American Lung Association of Michigan, scheduled for 5:00 P.M. on Saturday, September 5, 1981, costing the City a total of 382.13, which represents one segeant, 12 officers and 13 vehicles for two hours.

#3—4th Annual Women's Run sponsored by the State Journal, et al, scheduled for 1:00 P.M. on Sunday, October 11, 1981, costing the City a total of $382.13, which represents one sergeant, 12 officers and 13 vehicles for two hours.

These have all been approved by the necessary departments.

By COUNCILMAN BLAIR—

That we concur in the recommendation of the Police Department and said parade permits be approved having received the signatures of all the required departments.

Carried.

DATE: July 13, 1981

TO: Council President Lucile Belen,
Mayor Gerald Graves and
City Clerk Theo Fulton

FROM: Edward J. Piloske,
Principal Internal Auditor

SUBJECT: CETA Interim Monitoring Audit for the FY 1980-81 Arts Council of Greater Lansing Subgrants

In accordance with Section 3-402.3 of the City Charter, the Office of Internal Audit submits the following Interim Monitoring Audit report of the Arts Council of Greater Lansing FY 1980-81 CETA contracts subgranted by the City of Lansing. The contracts audited are:

1) CETA, Title II Subgrant
Contract period of February 1, 1981 thru June 30, 1981

2) CETA, Title VI regular Subgrant
Contract period October 1, 1980 thru April 30, 1981

3) CETA Title VI Work Project, "Arts Encounter"
Contract period October 1, 1980 thru January 31, 1981

4) Arts Council segment of the Administrative Cost Pool
Contract period October 1, 1980 thru June 30, 1981

A response from the agency is requested as to item A of the Findings and Recommendation section of this report. A response is requested from the Controllers Office as to the administrative actions to be taken with the agency regarding Schedule D of this report.

Received and placed on file.

July 16, 1981

Council President Lucile Belen and
Members of the Lansing City Council

10th Floor, City Hall

Lansing, Michigan 48933

Dear Council President and Members:

In response to many, many questions from City Council and members of the public, I am at this time submitting to City Council the Phase II report of the Downtown Parking Study as prepared by the Planning Department. Please let me emphasize that point—although various other departments were involved in the earliest stages of this report, I believe that many of the final recommendations have been developed without sufficient input from the departments which would be impacted in implementation of those recommendations.

For instance, the Planning Director sought permission to use outside legal counsel for analysis of the parking system, and discussed that with the City Attorney on May 16, 1981 (see memo). The conversation confirmed that the City Attorney would be able to review outside legal counsel's report. However, this was not done (see memo dated June 3, 1981). I asked the Planning Director to respond as to why this follow-up as agreed to, was not done. To date, I have received no response to my request for information.

I must also note that the report in several of its recommendations concerning the bond issues which financed construction of the parking garages indicates disputes in interpretation of legal language about the bond ordinances involved. I would advise that City Council tread very cautiously in accept ance of "quick and dirty" legal advice from any competent attorney without bearing in mind fully the advice of the City Attorney. The concerns which have been raised in the past by the City Attorney have been echoed by the Finance Department and by its outside advisor regarding the parking garage bond issues.

Further, I have been informed that an error of 60% in the figures was included in the report. I am waiting clarification as to why that error was included when it likely would have been corrected with sufficient review by the Finance Department.

Similarly, I have attached a communication from the Public Service Board indicating the Board's concerns about implementation of various recommendations. Since the Public Service Department would be most directly impacted by changes in the operation of the parking system, it is imperative that the Board have full cognizance of its responsibilities on this matter.

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I would also heed City Council to be cautious in its expectations of the rapidity with which certain new construction projects are anticipated to take place. Many of the assumptions in the parking report are predicated upon completion of nearly all proposed downtown projects by the end of 1983. It is difficult to see at this time that all of these projects can materialize in that time frame considering the prevalence of high interest rates and the sluggishness of the Michigan economy in general. Furthermore the biggest single item in projecting an imminent shortage of parking is the development of the 100 Block Project. The same problems I mentioned above continue to impact that project and, certainly, some other developments will necessarily trail the 100 Block Project. While I have every hope that this project will proceed in a tmiely manner and be economically viable, I have expressed my concerns about both those contingencies. This will surely be determined in the next very few months.

Finally, I am embarrassed to see how this report, which has not even been heretofore formally submitted, has been the basis for claims and counterclaims of certain mayoral candidates. It is also interesting to note the similarities in some of these recommendations and the report submitted to City Council last May from the Downtown Business Council of the Lansing Regional Chamber of Commerce. In the interest of eliminating speculation about the parking study for political gain, I believe it is necessary to forward the report as quickly as possible.

Certain of the non-financial recommendations in the report are indeed to be commended, and it is my desire that the departments initiate activities in the direciton outlined in the report.

I do not believe in any way that this transmittal provides a comprehensive analysis of my position on this very complex matter. It has been in my office for review, and it would be my preference to allow that review to continue in order to present the unified position of all staffed departments on this very important issue. However, City Council has made it clear that it is their desire to begin review of this report immediately. To respond to that request, I hereby submit this document without recommendation.

Sincerely,

GERALD W. GRAVES,
Mayor.

Referred to the Ad Hoc Parking Committee.

July 16, 1981

Council President Lucile Belen and
Members of the Lansing City Council

10 Floor, City Hall

Lansing, Michigan 48933

Dear Council President and Members:

I am taking this opportunity to respond to a memorandum from Councilman Terry McKane to Finance Director James Dowsett regarding the proposed Intermodal Transportation Center.

Mr. McKane is correct in being concerned about the financial implications of the project at present. I have been advised that a funding shortfall exists, although it is not possible to pinpoint the amount of shortfall, or possible alternatives, at this time. I am told by the Planning Department that further information will be available in about two months on this proposed project, following additional meetings with the project architect, the State of Michigan Department of Transportation, and the affected bus carriers.

I will keep City Council advised of any further progress on this matter as soon as additional information becomes available.

Sincerely,

GERALD W. GRAVES,
Mayor.

Referred to Committee on Ways and Means.

July 16, 1981

Council President Lucile E. Belen and
Members of the Lansing City Council

10th Floor, City Hall

Lansing, Michigan 48933

Dear President Belen:

Subject: Proposals to Purchase and Redevelop Parcel 10, Urban Renewal Project No. 1

This is to advise you that it is my recomdation that the City of Lansing conditionally accept the proposal to purchase and redevelop Parcel 10 of Urban Renewal Project No. 1 (located at the northwest corner of the intresection of Ottawa Street and the Washington Square Mall) submitted by Dart Energy Corporation on July 1, 1981. I am concurrently recommending that the proposal to purchase and redevelop the same property that was submitted by R & R Development Company on May 15, 1980, be rejected by the City of Lansing.

In making the above recommendations, I am concurring with the recommendations of the Redevelopment Division of the Department of Building Safety and Development, the Housing and Redevelopment Advisory Board, and my Economic Development Advisory Group. A copy of the recommendations made by each of the above is attached hereto, for your information. I urge you to thoroughly review the recommended conditions to be imposed on the acceptance of the Dart proposal and to concur therein. In addition, it will be necessary for you to waive certain of the proposal content requirements if you act to accept either proposal.

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Although R & R Development Company did submit a proposal to purchase and redevelop Parcel 10 on May 15, 1980, that proposal was intentionally not evaluated by various city departments, as an inducement for R & R to proceed on Parcel 12, on which they have been working with little or no progress since September, 1978. R & R was advised that the City would not act on the Parcel 10 proposal until such time as Parcel 12 was showing signs of life, and R & R made no objection or effort to advance its proposal on Parcel 10. Failure to proceed with evaluation of both proposals for Parcel 10 at this time would have worked to the advantage of R & R, which would not necessarily have been in the best interest of the City of Lansing. I urge R & R to proceed on Parcel 12 as quickly as possible.

Finally, I call your attention to the fact that the Dart proposal included a provision that its proposal was firm until July 18, 1981. The Redevelopment Director has been verbally advised by Dart's authorized agent that the proposal will remain firm until July 27, 1981. It is important that the City Council review these recommendations promptly and act on July 27, 1981.

Sincerely,

GERALD W. GRAVES,
Mayor.

Referred to Committee of the Whole.

DATE: 7/16/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Submission of attached correspondence from the Lansing Traffic Board, David Berridge, Secretary. Re: Public meeting and recommendations on the Boston Blvd./Mt. Hope/Barnes/Logan area.

The attached correspondence is submitted for your information and action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Public Property and Safety.

DATE: 7/16/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Traffic Board, David A. Berridge, Secretary. Re: Request for parking investigation by residents of Hillsdale St.

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Public Property and Safety.

DATE: 7/16/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Submission of attached correspondence from the Redevelopment Director, Ronald Stonehouse. Re: Election of Officers — Housing and Redevelopment Advisory Board.

The attached correspondence is submitted for your information.

GERALD W. GRAVES,
Mayor.

Received and placed on file.

DATE: 7/16/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Public Service Board. Re: Michigan Avenue (M-143) Turnback Jurisdiction.

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Public Property and Safety.

DATE: 7/16/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Building Safety & Development Director, J. Kzeski. Re: Request for demolition approval for property at 616 S. Clemens St., Lansing.

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on General Services.

DATE: 7/16/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Building Safety &

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Development Director, J. Kzeski. Re: Request for setting public hearing on condemned dwelling at 920 Raider St.

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

By COUNCILMAN LINDEMANN—

That we concur in the recommendation of the Mayor and said public hearing be scheduled for August 3, 1981.

Carried.

DATE: 7/16/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Submission of attached correspondence from the Director of Public Service, H. McCaffery. Re: Filling of City Engineer position.

The attached correspondence is submitted for your information.

GERALD W. GRAVES,
Mayor.

Received and placed on file.

DATE: 7/16/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Building Safety & Development Director, J. Kzeski. Re: Grass cutting assessment for 12/81 tax roll (L-20).

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

By COUNCILMAN LINDEMANN—

That we concur in the recommendation of the Mayor and this be put on the December tax rolls.

Carried.

DATE: 7/16/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Building Safety & Development Director. Re: Grass Cutting Assessment for December 1981 Tax Roll (L-20).

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

By COUNCILMAN LINDEMANN—

That we concur in the recommendation of the Mayor and this be placed on the December tax rolls.

Carried.

DATE: 7/16/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Submission of attached correspondence from the Deputy Director for Redevelopment, Ronald G. Stonehouse. Re: Request for permission to construct fence at 1545 New York Ave.

The attached correspondence is submitted for your information and action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Physical Development.

DATE: 7/16/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Mayor's Economic Development Advisory Group, A. Tubbs, Chairman. Re: Recommendation for disposition of Parcel No. 10 of Urban Reneswal Project No. 1 to Dart Energy Corporation.

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee of the Whole.

DATE: 7/16/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Submission of attached correspondence from the Planning Director, A. Tubbs. Re: Reo Redevelopment Project.

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The attached correspondence is submitted for your information.

GERALD W. GRAVES,
Mayor.

Received and placed on file.

July 9, 1981

Council President Lucile Belen and
Members of the Lansing City Council

10th Floor, City Hall

Lansing, Michigan 48933

Dear Council President and Members:

The 1982-87 Guide to Capital Development needs submitted for consideration in the planning and budgeting processes is required annually by the Lansing City Charter of 1976 and Act 285 of the State of Michigan, Public Acts of 1931. This document was prepared by the Planning Department which is mandated to prepare the document by the Lansing City Charter with the input and assistance of the various City departments.

The projects have originated from a number of sources to include:

City departments and Board of Water and Light

Citizen input to planning programs such as the River Island Development Plan and the Southwest Comprehensive Plan

Capitol Commons Plan

Community Development Block Grant Program and the Neighborhood Development Plans

Capital Improvements Projects submitted for the 1981-82 budget

Downtown Development Plan

It should be noted that the majority of projects listed in the document have identified funding sources, estimated costs and indication of the earliest year for implementation. These reflect estimations and are not to be construed as commitments for funding. Annual review of Capital Development Needs and the Capital Improvements Program submission for budgeting will undoubtedly change the implementation schedules.

The Capital Development Program or Needs document has in past years been inefficiently used by administrative departments and policy makers. Therefore, I have recommended several changes in the Capital Development Program Process and the document format for the coming year. I have also directed that general fund revenue projections for at least three years be provided in order to more realistically present the Capital Development Program. These changes will establish a coordinated relationship between the annual Capital Improvements budget and the six year Capital Development Program of needs.

Please contact me if you require additional information.

Sincerely,

GERALD W. GRAVES,
Mayor.

Referred to the Committee on Ways and Means.

July 20, 1981

Council President Lucile Belen and
Members of the Lansing City Council

10th Floor, City Hall

Lansing, Michigan 48933

Dear Council President and Members:

Please be advised that I have taken disciplinary action in the matter of the account overrun within the Personnel Department. That disciplinary action includes a formal reprimand of Personnel Director Stephen A. Kintz, as well as, a delay of the effective date of any merit or cost of living increases, which may be applicable to him, until October 1, 1981. All other adjustments of employees within the Executive Pay Plan will be retroactive to July 1, 1981. I have not yet determined the percentages which may be applied to the Executive Pay Plan; therefore, it is not possible at this time to identify his penalty in dollars and cents.

The reprimand is of a nature sufficiently severe that I believe it fulfills whatever is necessary to avoid any such recurrence within the Personnel Department, or any other department in the future.

Sincerely,

GERALD W. GRAVES,
Mayor.

Received and placed on file.

July 16, 1981

Council President Lucile Belen and
Members of the Lansing City Council

10th Floor, City Hall

Lansing, Michigan 48933

Dear Council President and Members:

On March 20, 1980, I advised of the appointment of Stephen A. Kintz to the position of Director of Personnel and Employee Relations.

One day later, Richard D. Holmes, the then Editor of the Lansing Labor News,

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announced for the news media, that he had commenced a civil action against myself, Stephen Kintz, Daniel Bodwin the outgoing Director of Personnel and Employee Relations, and the City of Lansing, regarding my appointment. **Mr. Holmes sought a restraining order against my appointment, the general basis being that it was improper.**

The Interrogatories submitted to me from Richard Holmes, Plaintiff, through his attorney, included "the process for selecting a successor to retiring Personnel Director Daniel Bodwin"; "what recruitment sources were utilized to secure this replacement"; ". . . type of employee desired . . ."; "The skills which the Mayor feels are required for this job position"; ". . . the contents of the posted announcement of the job opening"; the number and names of all job applicants who had applied for the position, all documents in my possession, in addition to a number of other questions and requests. **I properly answered all matters sought by the Plaintiff and his Attorney.**

**Sixteen months** after the original announcement by Mr. Richard D. Holmes, and **after** his publicity had died down, the civil action commenced against me, and others, has been dismissed in Circuit Court. **I am not surprised.**

Sincerely,

GERALD W. GRAVES,
Mayor.

Received and placed on file.

## RESOLUTIONS

By COMMITTEE ON PUBLIC PROPERTIES AND SAFETY—

Resolved by the City Council of the City of Lansing:

Wheeras, the uncertain status of the UDAG grant has caused the city to delay the auction of immovable items from Alex's Restaurant; and

Whereas, the longer the facilities remain unoccupied the greater the chance for deterioration and loss of value; and

Whereas, the exhibition/convention center site will be needed soon and 60 days are required by law to hold an auction of this kind; and

Whereas, an estimated $30,000 may be realized in the auction proceeds; now

Therefore Be It Resolved, the City Council of the City of Lansing hereby authorizes the Administration to proceed immediately with the auction of immovable fixtures in the former Alex's Restaurant.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PUBLIC PROPERTIES AND SAFETY—

Resolved by the City Council of the City of Lansing:

Whereas, the Planning Board has recommended the sale of vacant parcels located on the west side of Shepard Street, Leslie Street, and Regent Street adjacent to Woodman Road as single family buildable lots, and

Whereas, the recommendation included the following conditions:

1. Offering the east 10-12 feet of lot 221 on Shepard Street to the property owner of 1240 Shepard Street to enlarge this property;

2. Stipulating that the parcels not be made available to the Lansing Housing Commission.

3. Stipulating that the profits accrued from the sales be earmarked for improvements to Dakin Street Bridge, and

4. Suggesting that the mature trees not be disturbed.

Now, Therefore, Be It Resolved the City Council of the City of Lansing hereby approves the sale of the above mentioned parcels located on Shepard, Leslie, and Regent streets in accordance with the recommendations of the Planning Department.

By COUNCILMAN WORTHINGTON—

That the resolution be amended as follows:

In the 2nd Whereas the 3rd condition delete the following wording "earmarked for improvements to Dakin Street Bridge, and" and add the following wording "be deposited in the General Fund, and".

Adopted by the following vote:

Yeas: Councilmen Belen, Brenke, Gunther, McKane, Worthington—5.

Nays: Councilmen Blair, Lindemann—2.

The resolution as amended was adopted by the following vote:

Unanimously.

By COMMITTEE ON WAYS AND MEANS—

Resolved by the City Council of the City of Lansing:

Whereas, the City of Lansing operates garage facilities for maintenance of its fleet, and

Whereas, the Fire Mechanic IV is retiring from service as of August 14, 1981, and

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Whereas, the City has an otherwise totally civilian mechanic staff, and

Whereas, this position was to be converted upon the retirement of the incumbent,

Now, Therefore, Be It Resolved, that the Fire Mechanic IV be deleted and a Lead Mechanic 31 be established effective August 14, 1981. Funds are budgeted in Account Number 101-222-000-702.

Adopted by the following vote:

Unanimously.

By COMMITTEE OF THE WHOLE—

Resolved bythe City Council of the City of Lansing:

Whereas, in a period of continued limited revenues, the need to provide governmental services at the most effective and efficient levels is of heightened importance; and

Whereas, both budgetary and policy decision need to be made with an understanding of existing practices and performances within administrative and operative departments; and

Whereas, the City Charter states (Chapter 4, Section 3-402.5) that:

"The Internal Auditor shall review the administration and performance of any City Agency and report funding and recommendations to the City council and file a copy with the Mayor and Clerk,"

and

Now, Therefore, Be It Resolved, that the Lansing City Council believes that a Departmental performance review is a vital and necessary tool to both the Administrative and Legislative branches of government, and hereby directs the Internal Auditor to:

1. Establish a systematic program review of each City department, divisions and/or sections, in a manner which will allow a complete review of City departments every four years.
2. Establish (but not limited to) a basic format for review of the departments.
3. Prepare, as part of any program review, a section containing "recommendations, suggestions, and options" for review by the Mayor and the City Council; and

Be It Further Resolved, that the Council's General Services Committee shall serve as the oversight committee for all program reviews performed by the Internal Auditor. Internal Auditor shall provide a summary of its recommendations to the Council for each department reviewed during the annual budget hearings.

Adopted by the following vote:

Unanimously.

## PUBLIC IMPROVEMENT III

By COMMITTEE ON PHYSICAL DEVELOPMENT—

Resolved by the City Council of the City of Lansing:

That the special assessment roll for Glenburne Sanitary Interceptor:

Assessment Roll No. 283
PS 63022

Property Benefited: For the construction of a 27 inch interceptor sewer along the Grand River from the end of the existing 27 inch sewer approx. 1000 feet on easement to serve Glenburne No. 5 Subdivision.

The revised estimated expense of said improvements based upon construction bids are as follows:

Project Number PS 63022

Assessment Roll No. 283

| | |
|---|---|
| Intersection and City Contribution | $37,550.00* |
| Assessable to Property Owners | $19,650.00 |
| Total Project Cost | $57,200.00 |

*Account 590-536-608-974

returned by the City Assessor be received and placed on file, and the City Clerk be directed to publish a notice thereof by publication in a local newspaper five days in accordance with Section 28-17, of Chapter 28 of the Code of Ordinances.

Resolved further, that the City Council will meet at the Council Rooms on Monday, the 3rd day of August, 1981, at 7:00 o'clock p.m. for the purpose of reviewing said assessment roll.

To be constructed under the Glenburne Sanitary Interceptor Sewer Contract, PS 63022.

I hereby certify that funds are available and encumbered for the City of Lansing's share of said project.

CHARLES S. REMENA,
Deputy City Controller.

Adopted by the following vote:

Unanimously.

## ZONINGS

By COUNCILMAN WORTHINGTON—

Whereas, it is deemed desirable to amend the Classification provided for in the Zoning Code of the City of Lansing, passed on the 13th day of November, 1958, in the following particulars, viz:

That property described as:

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Z-17-81 — 1226 West Mt. Hope Ave.,

be re-zoned from "B" One Family Residential District to "D-1" Professional Office District and the "Map" be changed to indicate such transfer;

Therefore, be it resolved, that the City Clerk shall give at least fifteen days notice of a Public Hearing when all persons interested may attend may make any objections they may have to such proposed changes in said Zoning Code.

Resolved further, that such hearing shall be held at the Council Chamber in the City Hall on the 10th day of August, 1981, at 7:00 o'clock p.m., and that notice of such hearing be published in the official publication of said city, as required by law.

Adopted by the following vote:

Unanimously.

By COUNCILMAN WORTHINGTON—

Whereas, it is deemed desirable to amend the Classification provided for in the Zoning Code of the City of Lansing, passed on the 13th day of November, 1958, in the following particulars, viz:

That property described as:

Z-18-81 — 1224 East Miller Rd.,

be re-zoned from "A" One Family Residential District to "DM-1" Multiple Family Dwelling District and the "Map" be changed to indicate such transfer;

Therefore, be it resolved, that the City Clerk shall give at least fifteen days notice of a Public Hearing when all persons interested may attend and make any objections they may have to such proposed changes in said Zoning Code.

Resolved further, that such hearing shall be held at the Council Chamber in the City Hall on the 10th day of August, 1981, at 7:00 o'clock p.m., and that notice of such hearing be published in the official publication of said city, as required by law.

Adopted by the following vote:

Unanimously.

By COUNCILMAN WORTHINGTON—

Whereas, it is deemed desirable to amend the Classification provided for in the Zoning Code of the City of Lansing, passed on the 13th day of November, 1958, in the following particulars, viz:

That property described as:

Z-19-81 — 4903 N. Grand River Ave.,

be re-zoned from "E-2" Drive In Shop and "C" Two Family Residential District to "F" Commercial District and the "Map" be changed to indicate such transfer;

Therefore, be it resolved, that the City Clerk shall give at least fifteen days notice of a Public Hearing when all persons interested may attend and make any objections they may have to such proposed changes in said Zoning Code.

Resolved further, that such hearing shall be held at the Council Chamber in the City Hall on the 10th day of August, 1981, at 7:00 o'clock p.m., and that notice of such hearing be published in the official publication of said city, as required by law.

Adopted by the following vote:

Unanimously.

By COUNCILMAN WORTHINGTON—

Whereas, it is deemed desirable to amend the Classification provided for in the Zoning Code of the City of Lansing, passed on the 13th day of November, 1958, in the following particulars, viz:

That property described as:

Z-20-81 — 6327 Grovenburg Rd.,

be re-zoned from "A" One Family Residential District to "C" Two Family Residential District and the "Map" be changed to indicate such transfer;

Therefore, be it resolved that the City Clerk shall give at least fifteen days notice of a Public Hearing when all persons interested may attend and make any objections they may have to such proposed changes in said Zoning Code.

Resolved further, that such hearing shall be held at the Council Chamber in the City Hall on the 10th day of August, 1981, at 7:00 o'clock p.m., and that notice of such hearing be published in the official publication of said city, as required by law.

Adopted by the following vote:

Unanimously.

By COUNCILMAN WORTHINGTON—

Whereas, by petition duly filed on the 16th day of February, 1981, this council was petitioned to change the following described property from "G-2" Wholesale, "H" Light Industrial, "E" Apartment, "C" Two Family Residential Districts to "G" Business and "J" Parking Districts all as set forth in the Zoning Code of this city, and

Whereas, due notice as required by law has been given for a public hearing on said petition, and

Whereas, at such hearing held on the 18th day of May, 1981, all parties interested therein were heard and given due consideration, and

Whereas, the property involved is described as:

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Z-3-81 — 710, 712, 714, 716, 720, 722, 728, 732, 738, 742, 748, 800 and 804 Center St.; 402 East Saginaw St., and 723, 727, 731, 735, 739, 743 and 751 North Cedar St.

More particulary described as:

All of lots 3, 4, 5, 7, 8, 9, 10, 11 and 14 and the east 96 feet of Lot 1, the west 82.5 feet of Lot 2, the north 33 feet of Lot 6 and the west 82.5 feet of Lot 15, Block 22, Original Plat, City of Lansing, Ingham County, Michigan;

from "C" Two Family Residential District, "E" Apartment Shop District, "G-2" Wholesale District and "H" Light Industrial District to "G" Business District; and

The west 99 feet of Lot 25, Block 21, Original Plat, City of Lansing, Ingham County, Michigan;

from a "C" Two Family Residential District to a "J" Parking District; and

Whereas the Planning Board, at their meeting of April 7, 1981, recommended that the petition be denied as filed, and further recommended that those properties included in the petition and located within the block bounded by Cedar Street, Saginaw Street, Center Street and Monroe Street be rezoned to "G" Business District and that those properties included in the petition and located north of Monroe Street remain in their present zoning classification; and

Whereas the Physical Development Committee of the City Council, to whom the report of the Planning Board was referred, did not concur therewith, and recommended that the properties be rezoned to an "F" Commercial District;

Now, Therefore, Be It Resolved that the Council of the City of Lansing hereby ordains that the petition to rezone the above described properties from "C" Two Family Residential, "E" Apartment Shop, "G-2" Wholesale and "H" Light Industrial Districts to a "G" Business District be denied; and

Be It Further Resolved that the above described property be rezoned from "C" Two Family Residential, "E" Apartment Shop, "G-2" Wholesale and "H" Light Industrial Districts to an "F" Commercial District; and

Be It Finally Resolved that the City Clerk be, and she is hereby, directed to notify the petitioner of this action.

Adopted by the following vote:

Unanimously.

By COUNCILMAN WORTHINGTON—

Whereas, by peittion duly filed on the 13th day of April, 1981, this council was petitioned to change the following described property from "E-1" Drive-In Shop District to "DM" Multiple Dwelling District all as set forth in the Zoning Code of this city, and

Whereas, due notice as required by law has been given for a public hearing on said petition, and

Whereas, at such hearing held on the 29th day of June, 1981, all parties interested therein were heard and given due consideration, and

Whereas, the property involved is described as:

Z-15-81 — Vacant land formerly known as 2605 East Cavanaugh Road,

more particularly described as:

Parcel number: 301-35-328-101 — Lot 2 and the southeasterly 15 feet of Lot 3, Sonnybrook Plat, City of Lansing, Ingham County, Michigan;

from an "E-2" Drive-In Shop District to a "DM" Multiple Dwelling District; and

Whereas the Planning Board, at their meeting of May 19, 1981, recommended that the petition be denied as filed and further recommended that the property be rezoned from "E-2" Drive-In Shop to a "D-M:1" Multiple Dwelling District; and

Whereas the Physical Development Committee of the City Council, to whom the report of the Planning Board was referred, did not concur therewith, and recommends that the petition be approved as filed subject to the condition that vehicular access to Dunckel Road be prohibited;

Now, Therefore, Be It Resolved that the Council of the City of Lansing hereby ordains that the petition to rezone the above described premises from an "E-2" Drive-In Shop District to a "DM" Multiple Dwelling District be approved; and

Be It Further Resolved that vehicular access from the above described property to Dunckel Road is prohibited; and

Be It Finally Resolved that the City Clerk be, and she is hereby, directed to notify the petitioner of this action.

Adopted by the following vote:

Unanimously.

By COUNCILMAN WORTHINGTON—

Whereas, by petition duly filed on the 23rd day of March, 1981, this council was petitioned to change the following described property from "C" Two Family Residential District to "G" Business District all as set forth in the Zoning Code of this city, and

Whereas, due notice as required by law has been given for a public hearing on said petition, and

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Whereas, at such hearing held on the 29th day of June, 1981, all parties interested therein were heard and given due consideration, and

Whereas, the property involved is described as:

Z-12-81 — 736 Center Street.

More particularly described as:

Parcel number: 3301-09-479-051 — The south ½ of Lot 6, Block 22, Original Plat, City of Lansing, Ingham County, Michigan;

from a "C" Two Family Residential District to a "G" Business District; and

Whereas the Planning Board, at their meeting of May 19, 1981, recommended that the petition be approved as filed; and

Whereas the Physical Development Committee of the City Council, to whom the report of the Planning Board was referred, did not concur therewith, and recommended that the petition be denied as filed and further recommended that the property be rezoned from a "C" Two Family Residential District to an "F" Commercial iDstrict;

Now, Therefore, Be It Resolved that the Council of the City of Lansing hereby denies the petition to rezone the above described premises from a "C" Two Family Residential District to a "G" Business District; and

Be It Further Resolved that the Council of the City of Lansing hereby ordains that the zoning of the above described premises be changed from a "C" Two Family Residential District to an "F" Commercial District; and

Be It Finally Resolved that the City Clerk be ,and she is hereby, directed to notify the peittioner of this action.

Adopted by the following ovte:

Unanimously.

By COUNCILMAN GUNTHER—

Resolved by the City Council of the City of Lansing:

That Councilman Adado be excused from the session.

Carried.

## REMARKS BY THE MAYOR'S EXECUTIVE ASSISTANT

No remarks.

## REMARKS BY THE CITY COUNCIL

The following persons spoke:

Rev. J. West spoke.

Cindy Baker, 1238 Leslie.

Merle Lemon, 1803 Linval.

James Folds, Planning Dept. answered questions for Councilman Blair.

Leon Starin, 1107 Regent.

Joseph Lytle, 1005 Shepard.

John Holmes, 818 Vernon, spoke relative dumping at Poxson Park site.

By COUNCILMAN BELEN—

That this meeting stand adjourned.

Carried.

Council adjourned at 8:33 P.M.

THEO FULTON,
City Clerk.

Lansing, Michigan

July 20, 1981

F/B

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CITY CLERK'S OFFICE
Room 921, City Hall
Lansing, Michigan 48933

Address Correction Requested

BULK RATE
U. S. POSTAGE
PAID
Permit No. 1461
Lansing, Michigan



# OFFICIAL PROCEEDINGS OF THE CITY COUNCIL OF THE CITY OF LANSING

## Proceedings, July 27, 1981

CITY COUNCIL ROOMS

Lansing, Michigan

July 27, 1981

The City Council of the City of Lansing, Michigan, met in regular session and was called to order by President Belen.

Present: Councilmen Adado, Belen, Blair, Brenke, Gunther, Lindemann, McKane, Worthington—8.

Absent: None.

The Clerk announced that a quorum of the Council was present.

Invocation was given by Councilman Gunther.

Pledge of Allegiance was led by Councilman Gunther.

PUBLIC HEARING

HAP Revision

CITY CLERK FULTON: This is the time set for the public hearing on the proposed revision to the City of Lansing Housing Assistance Plan, Community Development Block Grant, FY 1979 to 1982.

PRESIDENT BELEN: The Clerk will read.

CITY CLERK FULTON: To meet the current goals for family type assisted housing and in view of the scarcity of vacant, buildable, residential land suitable for development, the City of Lansing is adding Census Tract No. 2 as an additional location for new construction in the three year Housing Assistance Plan, July 1, 1979 to June 30, 1982, which currently includes Census Tracts 15, 17, 18, 29 and 53.01.

PRESIDENT BELEN Robert Harris of the Lansing Planning Department will now proceed with the introduction of the exhibits.

**Robert Harris:** President Belen, members of City Council, ladies and gentlemen, this public hearing is being held in accordance with Part 570, Title 24 of the Current

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Federal Regulations of the U.S. Department of Housing and Urban Development which requires that citizens be provided an adequate opportunity to participate in an advisory role in planning, implementing and assessing the Community Development Block Grant Program. This second public hearing will fulfill HUD requirements for citizen participation. For the purpose of the record, I would like to introduce six exhibits regarding the background of the proposed revision and activities that have occurred in preparation for this hearing.

(It is not necessary to read each of the exhibits, but their description follows.)

**Exhibit No. 1** is a certified copy of an excerpt from the Planning Board minutes of June 2, 1981 in which a public hearing was held to obtain citizens' views on the proposed revision and no one in the audience spoke on the issue.

**Exhibit No. 2** is a certified copy of an excerpt from the Planning Board minutes of June 16, 1981 in which the members recommended approval of the proposed Housing Assistance Plan revision.

**Exhibit No. 3** is background information on the proposed Housing Assistance Plan Revision.

**Exhibit No. 4** is a copy of the Resolution of the City Council setting July 27, 1981 as the date of Public Hearing to consider the proposed revision.

**Exhibit No. 5** is a copy of the notice of Public Hearing that was published in the Lansing State Journal on Tuesday, May 26, 1981.

**Exhibit No. 6** is a copy of the notice of Public Hearing that was published in the Lansing State Journal on Saturday, July 11, 1981.

The Housing Assistance Plan (HAP) is required by HUD as part of the CD application for federal assistance. It serves as a measure of the conditions of the City of Lansing's housing stock and the needs of low and moderate income persons for housing assistance. In addition, the HAP serves to establish goals for assistance best suited to meet the needs of lower income persons and to further the revitalization of Lansing. The HAP must propose general locations for assisted housing which will expand Lansing's housing stock and provide housing opportunities (a decent home in a suitable living environment) for lower-income persons.

Census Tract No. 2 has an ideal location in relation to existing public facilities and services, the Central Business District, the scenic parks along the Grand River and has a major neighborhood shopping center.

PRESIDENT BELEN: Anyone in the audience who would like to comment on the proposed revision to the current Three Year Housing Assistance Plan by adding Census Tract No. 2 as another location for new construction, will please step to the microphone. State your name, address and comments, keeping in mind that there may be other people who would like to be heard.

***Public Comment on HAP Revision***

PRESIDENT BELEN If there are no further comments, then this proposed revision is being referred to the Physical Development Committee of City Council for their review and recommendation, pursuant to City Council action.

Referred to Committee on Physical Development.

**THE PUBLIC MAY NOW ADDRESS THE CITY COUNCIL ON ANY OF THE FOLLOWING ITEMS LISTED ON THE AGENDA: COMMUNICATIONS AND PETITIONS, COMMITTEE REPORTS, REPORTS OF CITY OFFICERS AND BOARDS, AND RESOLUTIONS. YOU MAY SPEAK ONLY FOR 3 MINUTES ON ANY ONE ITEM.**

No person spoke.

**COMMUNICATIONS AND PETITIONS**

The following applications and bonds have been filed for licenses:

CABARET —
Pappy's Pizza.

PEDDLER —
Forty Winks.

Referred to Committee on General Services.

Summons filed in Circuit Court by Claudine Walker vs City of Lansing in regard to the demolition of a residential building at 904 Middle St.

Referred to Mayor, City Attorney.

The following claims have been filed:

James S. Lee for damage to his automobile by a City Parking Gate.

Robert W. Luoma Attorney for Marvin Woods in connection with injuries received due to Police Officers and another suspect they were arresting colliding with Mr. Woods knocking him to the ground.

Referred to Mayor, City Attorney.

The following petitions have been filed for rezoning:

Z-27-81 —

Lots 5, 6, 7 and 8, Battenfield Subd., City

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of Lansing, Ingham County, Michigan, from "A" One Family Residential District to "F" Commercial District (540 & 552 East Jolly Road).

Z-28-81 —

The East 38' of South 4 rods of Lot 1, Block 1, Frenchs Subdivision, City of Lansing, Ingham County, Michigan from "B" One Family Residential District to "DM" Multiple Family Residential District—(1100 West Ionia St.).

Referred to Mayor, Planning Board.

Letter from the Parthenon Restaurant in regard to proposed sidewalk cafe.

Referred to Mayor, Planning Board.

General Motors Corporation, Fisher Body Division, submits application for Industrial Facilities Exemption Certificate covering a new facility — 401 N. Verlinden Avenue.

Referred to Mayor, Economic Development Corporation, Committee on Economic Development.

Industrial pretreatment program submits a nondomestic user survey preparation and submittal guidance.

Referred to Mayor.

State of Michigan — before the Michigan Public Service Commission in the matter of the application of the Detroit Edison Co. Consumers Power Co. and Michigan Consolidated Gas Co. for authority to temporarily defer recognition of expenditures for an insulation Outreach Program and further authority to recover costs incurred in the insulation Outreach Program through the imposition of a surcharge.

Received and placed on file.

## MAYOR OR HIS EXECUTIVE ASSISTANT COMMENTS ON ANY ITEM ON THE AGENDA:

No comment.

## REPORTS OF COMMITTEES

The Committee on GENERAL SERVICES approves the following applications and bonds for licenses:

CABARET —

Pappy's Pizza.

PEDDLER —

Forty Winks.

Signed:

WILLIAM A. BRENKE,
TERRY J. McKANE,
PAT LINDEMANN,
Committee on General Services.

By COUNCILMAN BRENKE—

That the report of the Committee be adopted.

Adopted by the following vote

Unanimously.

The Committee on PHYSICAL DEVELOPMENT, to whom was referred the rezoning petition Z-16-81 for property at Edgewood Blvd. and American Road from "A" One Family Residential District to "F" Commercial and "D-1" Professional Office District, reports as follows:

That said rezoning be approved.

Signed:

SIDNEY P. WORTHINGTON,
LUCILE BELEN,
WILLIAM A. BRENKE,
Committee on Physical Development.

By COUNCILMAN WORTHINGTON—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

## REPORTS OF CITY OFFICERS AND BOARDS

July 23, 1981

President Lucile Belen and
Members of City Council

Re: Redemption of Workers Disability Compensation Matter Involving David Howse

Dear President Belen and
Members of City Council:

In accordance with Article IV, Section 4-304.7 of the Lansing City Charter this office makes its recommendation for redemption of the above captioned matter.

On June 11, 1979, Mr. Howse, a Parks employee, injured his back while attempting to lift a sickle bar. Mr. Howse was unable to work for over two months as a result of the injury. He was able to return to his job for a brief period of time but continued treating with the City's physician. He continued seeing the City physician for a period of time after his CETA employment expired on October 19, 1979. On July 29, 1980 Mr. Howse filed a petition for workers disability compensation benefits

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alleging a continuing back problem as a result of the sickle bar incident.

The City's physician indicated at his deposition that Mr. Howse was still on restrictions at the time his employment terminated with the City of Lansing. Under the prevailing law an employer is obligated to pay workers disability compensation benefits if an employee is injured as the result of a work related incident and can not fully perform his job. Since Mr. Howse was on restrictions at the time his CETA employment expired and since he continued to see Dr. Silva for a brief period of time thereafter for therapy, this office is of the opinion that the City will be held accountable for some workers disability compensation benefits. At this time Mr. Howse, assuming he prevails at a workers disability compensation hearing, will be entitled to $11,980.96 in accrued compensation benefits. He may be entitled to additional benefits assuming the Administrative Law Judge awards such benefits. Additionally the City would be responsible for any reasonable and necessary medical expenses as well as the rehabilitation expenses if rehabilitation is required.

In view of the foregoing this office entered into negotiations in an effort to redeem this matter and tentatively agreed upon a redemption figure of $5,000.00 with plaintiff's counsel. If this matter is redeemed for that amount, the City will no longer be liable for any benefits under the Workers Disability Compensation Act and furthermore will not be liable for any subsequent aggravations of this back injury in the event Mr. Howse injures himself in a future job.

Therefore, it is the recommendation of this office that the City of Lansing's liability under the Workers Disability Compensation Act be redeemed in the amount of $5,000.00.

Respectfully submitted,

STEPHEN R. SAWYER,
City Attorney.

By COUNCILMAN ADADO—

That we concur in the recommendation of the City Attorney.

Carried.

July 23, 1981

President Lucile Belen and
Members of City Council

Re: GLS Leasco, Inc. v City of Lansing:
MTT Docket No. 52134

Dear President Belen and
Members of City Council:

In early 1981 GLS Leasco, Inc., filed an appeal with the Michigan Tax Tribunal alleging that a truck terminal owned by it and located in the City of Lansing had been assigned an assessed value for purposes of property taxation in excess of 50% of its true cash value and, therefore, was illegally assessed. The City of Lansing filed an answer in the matter claiming that the assessed value assigned the subject property by the City Assessor was not in excess of 50% of the propety's true cash value and, therefore, was legally assessed.

On June 11, 1981, pursuant to the Michigan Tax Tribunal Rule, a Counsel Conference was held in the City Assessor's Office. Representatives of GLS Leasco, Inc. and representatives of the City Assessor's Office met and exchanged information. Based upon information not previously available to the City Assessor, the parties have agreed on a tentative settlement of the matter. Pursuant to that settlement, GLS Leasco, Inc, and the City Assessor are willing to agree to the assessed value of the subject property for the 1981 tax year should be $24,500. This amount is less than the $29,900 at which the property was initially assessed by the City Assessor, but it is still substantially in excess of the $14,500 assessed value originally claimed by the Petitioner. In the opinion of the City Assessor's Office the amount is justifiable in light of the information now available to them.

Based on the recommendation of the City Assessor's Office as well as the inevitable uncertainty if the matter should proceed to a hearing, it is the recommendation of this office that settlement in the above referenced tax appeal should be authorized by City Council as described herein.

Respectfully submitted,

STEPHEN R. SAWYER,
City Attorney.

By COUNCILMAN ADADO—

That we concur in the recommendation of the City Attorney.

Carried.

July 23, 1981

President Lucile Belen and
Members of City Council

Re: Annas v City of Lansing; MMT
Docket Nos. 54433 & 45530

Dear President Belen and
Members of City Council:

On June 27, 1980, Mr. and Mrs. Steve Annas filed the above referenced appeals with the Michigan Tax Tribunal complaining that certain parcels of real property owned by them and located at 531 Northrup Street and 5525 S. Cedar Street in the City of Lansing had been assigned assessed values for the purpose of property taxes in excess of 50% of their true cash value and therefore were illegally assessed. Subsequently, the Petitions were amended to include the 1981 tax year assessed values. The City of Lansing filed its answer in the matter asserting that the assessed values which were assigned the subject property

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by the City Assessor were not in excess of 50% of the property's true cash value and, therefore, were legally assessed.

Pursuant to Michigan Tax Tribunal Rules, a Counsel Conference was held in the City Assessor's Office. Representatives of Mr. and Mrs. Steve Annas and representatives of the City Assessor's Office were present and both the parties exchanged information. Based upon the information which was submitted at the Conference by the City Assessor concerning the assessment placed upon the property located at 531 Northrup Street, the representatives of Mr. and Mrs. Steve Annas agreed that the assessment placed upon the real property at 531 Northrup Street by the City Assessor was not in excess of 50% of the property's true cash value and the representatives of Mr. and Mrs. Steve Annas agreed to dismiss their appeal regarding MTT Docket No. 45530.

However, based upon new information which was submitted at the Counsel Conference by representatives of Mr. and Mrs. Annas in regard to real property located at 5525 S. Cedar, the parites have agreed on a tentative settlement in this matter. Pursuant to that agreement, Annas and the City of Lansing are willing to agree that the assessed value of the property for the 1979 and 1980 tax years should be $125,000. While this amount is somewhat less than the $145,000 at which the property was initially assessed by the City Assessor, it is substantially in excess of the $87,100 originally claimed by the Petitioner and in the opinion of the City Assessor's Office, the amount is justifiable in light of the information now available.

Based upon the recommendation of the City Assessor's Office as well as the uncertainty of outcome which would exist if the matter should proceed to a hearing, it is the recommendation of this office that settlement of the above tax appeal, namely MTT Docket No. 45533, should be authorized by City Council as described herein.

Respectfully submitted,

STEPHEN R. SAWYER,
City Attorney.

By COUNCILMAN ADADO—

That we concur in the recommendation of the City Attorney.

Carried.

July 23, 1981

TO: Theo Fulton, City Clerk

FROM: Dorothy LeVan, Secretary

SUBJECT: Rules of Administration Proceedur—Board of Water and Light

In accordance with Article 5, Rule 5-105.8 of the City Charter, the attached Rules of Administrative Procedure adopted by the Board have been approved as to form by the City Attorney, Mr. Stephen R. Sawyer, and are submitted to you for transmission to the City Council.

DOROTHY LeVAN,
Secretary.

Received and placed on file.

DATE: 7/20/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Director of Building Safety and Development. Re: Grass Cutting Assessment for December 1981 Tax Roll (L-20).

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

By COUNCILMAN LINDEMANN—

That we concur in the recommendation of the Mayor and the tax assessment be placed on the December 1981 tax roll.

Carried.

DATE: 7/22/81

TO: Council President and Members of Lansing City Council

FROM: Gerald W. Graves, Mayor

SUBJECT: Incinerator Modifications.

The attached communication from the Director of Public Service, regarding incinerator modifications, is forwarded for your information.

GERALD W. GRAVES,
Mayor.

Received and placed on file.

July 21, 1981

Council President Lucile Belen and
Members of the Lansing City Council

10th Floor, City Hall

Lansing, Michigan 48933

Dear Council President and Members:

Last week, a communication was forwarded to you from the Planning Director regarding the proposed development on the Diamond Reo property by the Demmer Corporation. I have been advised by the City Attorney's Office that in fact it is necessary for City Council to approve the 30 day extension on this agreement, which was reported in the Planning Director's communication as already having been granted.

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I am satisfied with the progress to date by the Demmer Corporation and recommend you adopt the attached resolution as prepared by the Attorney's Office authorizing this extension. The original agreement for 90 days was approved on April 28, 1981; therefore, your action is requested at the City Council meeting Monday, July 27, 1981.

Sincerely,

GERALD W. GRAVES,
Mayor.

Referred to Committee on Economic Development.

July 23, 1981

Council President Lucile Belen and
Members of the Lansing City Council

10th Floor, City Hall

Lansing, Michigan 48933

Dear Council President and Members:

For your consideration and confirmation, I am submitting to you the names of Gary Weston and George Hess to serve as Temporary Directors on the City Fish Company Economic Development Corporation project.

These two individuals are currently serving as Temporary Directors on other EDC projects.

Trusting this recommendation meets with your approval, I remain

Sincerely,

GERALD W. GRAVES,
Mayor.

Referred to Committee on Economic Development.

DATE: 7/23/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Submission of attached correspondence from the Waterfront Development Board. Re: Waterfront Development Board Election of Officers.

The attached correspondence is submitted for your information.

GERALD W. GRAVES,
Mayor.

Received and placed on file.

DATE: 7/23/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Submission of attached correspondence from the Parks Department. Re: Handicapper Exposition.

The attached correspondence is submitted for your information.

GERALD W. GRAVES,
Mayor.

Received and placed on file.

DATE: 7/23/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Public Service Director. Re: Sunset Hills No. 10 — Sidewalk Deletion PS 14099.

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Physical Development.

DATE: 7/23/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Planning Department. Re: Z-21-81 — 1035 E. Saginaw; Z-22-81 — 3029 Ruth Avenue; Z-23-81 — 1000 Block of East Mt. Hope Avenue.

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Physical Development.

DATE: 7/23/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Planning Department. Re: P-7-81 Berkey Industrial Park —Tentative Preliminary Plat.

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Physical Development.

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DATE: 7/23/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Planning Department. Re: ACT-27-81 — Everett Park — Alley Vacation.

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Public Property and Safety.

DATE: 7/23/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Planning Department. Re: CDBG Westside Neighborhood Strategy Area No. 1 — Kingsley East Acquisition.

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Physical Development.

DATE: 7/23/81

TO: Council President and Members of the Lansing City Council

FROM: Gerald W. Graves, Mayor

SUBJECT: Downtown Parking Study.

The attached correspondence from the Planning Department is submitted for your information.

GERALD W. GRAVES,
Mayor.

Referred to Special Parking Committee.

DATE: 7/23/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Mayor's Economic Development Advisory Group. Re: EDC Request for Certification of Project Area Designation of Project District Area and Determination of Necessity of Establishing a Project Citizens District Council for the City Fish Project.

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Economic Development.

DATE: 7/23/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Mayor's Economic Development Advisory Group. Re: Capitol Park Motor Hotel Application.

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Economic Development.

DATE: 7/23/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Traffic Engineer. Re: Traffic Signal at Intersection of Cedar and Riley.

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Public Property and Safety.

DATE: 7/23/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Traffic Engineer. Re: Traffic Signal at Washington Avenue and Lenawee St.

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Public Property and Safety.

DATE: 7/23/81

TO: City Council President and Members

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FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Traffic Engineer. Re: Recommendation to install a stop sign on Allegan at McPherson.

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Public Property and Safety.

DATE: 7/23/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Submission of attached correspondence from the Traffic Engineer. Re: Traffic Board Election of Officers.

The attached correspondence is submitted for your information.

GERALD W. GRAVES,
Mayor.

Received and placed on file.

DATE: 7/23/81

TO: Council President and Members of the Lansing City Council

FROM: Gerald W. Graves, Mayor

SUBJECT: Proclamation Issued for "Small Business Assistance Week."

Per a recent request, the attached Proclamation was issued by this office for "Small Business Assistance Week." A copy is being forwarded to you for your information.

GERALD W. GRAVES,
Mayor.

Received and placed on file.

## RESOLUTIONS

By COUNCILMAN LINDEMANN—

Resolved by the City Council of the City of Lansing:

Whereas, the Lansing Lassies, sponsored by Arts Bar on East Kalamazoo Street have just won the open class Women's fast-pitch softball State Championship; and

Whereas, with the positive support of Mr. Ray Dorin, owner of Arts Bar and Grill and hard work and practice by the women known as the Lansing Lassies, this remarkable team triumphed over the Lansing Laurels, the Sturgis McDonalds and finally the Wyoming Royals for the State Championship; and

Whereas, the Lassies will now go on to represent Lansing as well as the State of Michigan, in the Nationals to be held in Houston, Texas, August 9th-15th;

Now, Therefore, Be It Resolved the City Council of the City of Lansing hereby extends its hearty congratulations to the Lansing Lassies and Mr. Ray Dorin for their State Championship; and

Be It Further Resolved on behalf of the citizens of Lansing the Council wishes the Lassies every possible success as they compete for a national title in Texas.

Adopted by the following ovte:

Unanimously.

By COUNCILMEN BRENKE, McKANE and LINDEMANN—

Resolved by the City Council of the City of Lansing:

That the request from the Westside Sportsman Club for a 24-hour liquor permit for the day of August 8, 1981, at the State of Michigan Department of Military Armory on South Washington is hereby approved provided the proper documents are obtained from the Liquor Control Commission.

Adopted by the following vote:

Unaniomusly.

By the Committee on ECONOMIC DEVELOPMENT—

Resolved by the City Council of the City of Lansing:

Whereas, the City of Lansing believes that the Demmer Corporation has made satisfactory progress toward completion of a development plan for the Diamond Reo property,

Now Therefore Be It Resolved that the City of Lansing hereby extends the Memorandum of Agreement for the Diamond Reo property as signed April 28, 1981, between the City of Lansing and the Demmer Corporation for an additional 30 days.

Adopted by the following vote:

Unanimously.

By Committee on PUBLIC PROPERTIES AND SAFETY—

Resolved by the City Council of the City of Lansing:

Whereas, the residents of Hillsdale Street have requested that parking be prohibited on one side of their street due to congestion; and

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Whereas, the Traffic Board has reviewed and approved this request;

Now, Therefore, Be It Resolved the Lansing City Council hereby adopts the recommendation of the Traffic Board to prohibit parking on the south side of Hillsdale Street from Jenison to southbound Logan Street.

Adopted by the following vote:

Unanimously.

By Committee on PUBLIC PROPERTIES AND SAFETY—

Resolved by the City Council of the City of Lansing:

Whereas, a traffic circulation in the Boston Boulevard/Mt. Hope/Barnes/Logan area has been a continuing problem, with through traffic using neighborhood streets while traveling to and from the Downtown area; and

Whereas, initial recommendations from the Administration were tabled without action so that neighborhood residents could be informed of available options; and

Whereas, at a neighborhood meeting on June 30, 1981, residents preferred a different alternative for relief of the problems, and the Traffic Board has approved the new recommendations;

Now, Therefore, Be It Resolved the Lansing City Council hereby adopts the following recommendations for improvement of traffic circulation in the Boston Boulevard/ Mt. Hope/Barnes/Logan area, as approved by the Traffic Board:

**I. Mt. Mope Ave./Logan St. Intersection**

A. Westbound to southbound left turns through the intersection are hereby prohibited.

B. Westbound to southbound traffic shall be directed through the median crossover north of the intersection.

C. The intersection's traffic signal shall be converted to two-phase operation with a lagging left turn green arow for eastbound traffic.

**II. Mt. Hope Ave./Boston Blvd. Intersection.**

A. Eastbound to northbound left turns are hereby prohibited during 7 a.m. to 9 a.m. except Saturday and Sunday.

B. Southbound to westbound right turns are hereby prohibited during 3 p.m. to 6 p.m. except Saturday and Sunday.

**III. Barnes Ave./Logan Street Intersection**

A. Eastbound and westbound left turns through the intersection are hereby prohibited.

B. This traffic shall be directed through the median crossovers to the north and south of intersection.

C. The traffic signal shall be converted to two-phase operation.

By COUNCILMAN LINDEMANN—

That this be for a 180 day trial period.

Carried.

The resolution as amended was adopted by the following vote:

Unanimously.

By Committee on PUBLIC PROPERTIES AND SAFETY—

Resolved by the City Council of the City of Lansing:

Whereas, the City of Lansing does now hold title to the land legally described below and known as the Raymond Drive property; and

Whereas, the City of Lansing Planning Department has conducted an ACT 285 Review requesting information from various City Departments as to possible interest in said property with a negative response; and

Whereas, the Planning Board has reviewed the staff recommendation to dispose of said property by placing it on the open market for sale to the highest bidder and concurs therewith; and

Whereas, this Resolution will replace the rescinded Resolution of October 27, 1980;

Now Therefore Be It Resolved by the Lansing City Council that the property described as:

PARCEL A

Commencing 195 feet N of SW Cor Lot 39, thence N 01 deg 17 min 30 scd E 243 feet, S 88 deg 17 min 30 scd E 180.52 feet, S 01 deg 38 min 55scd W 100 feet, N 88 deg 17 min 30 scd W 139.62 feet, S 01 deg 42 min 30 scd W 143 feet, W 41 feet to beginning, Assessor's Plat No. 57, Recorded Liber 29 of Plats, pages 41, 42, 43, 44, Ingham County Records

be sold to Mamco Corporation at the current fair market value as submitted on May 28, 1980 by Marion Hahn, Deputy Assessor ($.50 per square foot × 23,863 square feet totaling $11,931.50); and

Be It Further Resolved that a condiiton of sale is that the sit landscaping, buffering plan, as approved by the Planning Department be implemented by Hamco; and

Be It Further Resolved that the Deed be subject to a restriction making the West 41 feet of this property a buffer zone with only one driveway 20 feet wide for the ingress and egress; and

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Be It Further Resolved that if the sale to Hamco Corporation does not take place that the land be placed on the open market at the same price per square foot and with the same condition of sale as stated above, but reserving a drive easement for Hammond Corporation;

Be It Further Resolved that the balance of the property, described as:

PARCEL B

Commencing 438 feet N of SW Corner Lot 39, thence N 01 deg 42 min 30 scd E 908.31 feet, S 52 deg 00 min 30 scd E 223.35 feet, S 01 deg 38 min 55 scd W 455.03 feet M/L thence N 88 deg 17 min 30 scd W 180.52 feet to point of beginning, Assessor's Plat No. 57, Recorded Liber 29 of Plats, pages 41, 42, 43, 44, Ingham County Records

and zoned "I" Heavy Industrial, be sold on the open market for a value not less than that appraised by the Deputy Assessor; and

Be It Further Resolved that a condition of sale that the residential properties to the West be buffered from any adverse impacts of future development; and

Be It Further Resolved that the Property Manager is authorized and directed to obtain an easement or to do a land trade to provide access to this property from Spikes Lane; and

Be It Finally Resolved that all easements and access for public utilities be retained.

Adopted by the following vote:

Unanimously.

By Committee on PUBLIC PROPERTIES AND SAFETY—

Resolved by the City Council of the City of Lansing:

Whereas, the Michigan Department of Transportation has proopsed to abandon a portion of State Trunk Line M-143 (Michigan Avenue) in the City of Lansing from Cedar Street (US 27, I-96 B.L.) to Howard Street (US 127, temporary I-69) and turn back jurisdiction to the City of Lansing per their communication of May 15, 1981; and

Whereas, the Michigan Department of Transportation in cooperation with the Tri-County Regional Planning Commission and the City of Lansing is in the process of updating a regional trunkline plan for the Lansing Area; and

Whereas, the regional trunkline plan will provide direction for the future development of the Lansing area trunkline system;

Now, Therefore, Be It Resolved that the Council of the City of Lansing take no action on the Michigan Department of Transportation request to turn back jurisdiction of M-143 (Michigan Avenue) between Cedar Street and Howard Street until the Regional Trunklin Plan for the Lansing area has been completed; and

Be It Further Resolved that a copy of this resolution be transmitted to the Michigan Department of Transportation in response to their request for turn back of Michigan Avenue.

Adopted by the following vote:

Unanimously.

By PHYSICAL DEVELOPMENT COMMITTEE—

Resolved by the City Council of the City of Lansing:

Be It Resolved, that the confirmation of Paulette I. Piirainen to fill vacancy on the Public Service Board for a term to expire June 30, 1984 is hereby confirmed as recommended by the Mayor.

Adopted by the following vote:

Unanimously.

By PHYSICAL DEVELOPMENT COMMITTEE—

Resolved by the City Council of the City of Lansing:

P-1-81
Capitol Commons No. 1 and No. 2
Final Plats

Whereas the final plats of the Capitol Commons Urban Renewal plats No. 1 and No. 2 have been submitted for approval; and

Whereas the Planning Board has reviewed the final plats of Capitol Commons No. 1 and No. 2 and found them to be in substantial conformance with the preliminary plats and recommended approval subject to conditions; and

Whereas the Physical Development Committee of City Council reviewed the report of the Planning Board and has concurred therewith;

Now, Therefore, Be It Resolved that the Council of the City of Lansing ordains that the final Urban Renewal Plats of Capitol Commons be approved subject to the conditions outlined below and also, in the conditions of approval by the responding agencies at the time review and approval was given to the preliminary plat.

1) That a Deed or Abstract of Title, accompanied by an attorney's opinion as to the marketability of the land, or a Certificate of Title Insurance be submitted to the City Clerk prior to the filing of the plat and the affixing of the Municipal Seal.

2) That final security be posted in the amount specified by the Public Service Department and the Department of Parks and Recreation.

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3) That final clearance from the Board of Water and Light for the development be obtained.

4) That easements be recorded and shown on the face of the plat as required by all utilities.

Adopted by the following vote:

Unanimously.

By Committee on PHYSICAL DEVELOPMENT—

Resolved by the City Council of the City of Lansing:

P-4-81
Sky View Subdivision
Preliminary Plat

Whereas the preliminary plat of Sky View Subdivision was submitted for tentative preliminary approval; and

Whereas the Planning Board has examined this proposed plat and has recommended its tentative approval subject to conditions; and

Whereas the Physical Development Committee of City Council has reviewed said recommendation and concurs therein;

Now, Therefore, Be It Resolved that the preliminary plat of Skyview Subdivision be given tentative preliminary approval subject to the following conditions:

1) The final plat be developed with public improvements as required by the Lansing Subdivision Regulations and the Michigan State Plat Act.

2) The lot line btween Lots 5 and 6 be moved so that the front point remains the same and the rear point be seventy (35) feet north from the southeastern corner of the parcel.

3) All lots shall be graded so that surface water will not drain so as to adversely affect adjacent properties.

4) The developer utilize an underground electrical distribution system as provided in Section 37-33.1 of the Lansing Subdivision Regulations.

5) All necessary easements be provided for installation of utilities.

6) All pavement widths and cul-de-sac radii be in conformance with the Traffic Department's requirements.

7) A fire hydrant be placed at the proper location.

8) When the site design for Lot 7 is finalized, that design should provide for the elimination of the temporary access given the completion of a roadway north to Mt. Hope Avenue.

Adopted by the following vote:

Unanimously.

By PHYSICAL DEVELOPMENT COMMITTEE—

Resolved by the City Council of the City of Lansing:

ACT-23-81

Whereas, the Public Service Department and Property Management Division of Administrative Services, have requested the vacation of this North/South alley between Mifflin and Francis Avenues, north of Prospect Street; and

Whereas, it is not utilized for vehicular access, nor utility facilities, and

Whereas, it is the recommendation of the Planning Board, to vacate said alley under applicable state laws; and

Whereas, the Physical Development Committee of City Council has reviewed the Planning Board's recommendation and concurs therewith,

Now, Therefore Be It Resolved, that the North/South alley between Mifflin and Francis Avenues, north of Prospect Street be vacated to adjacent property owners under the applicable state statutes.

Adopted by the following vote:

Unanimously.

## PUBLIC IMPROVEMENT II

By Committee on PHYSICAL DEVELOPMENT—

Resolved by the City Council of the City of Lansing:

That the plans and specifications returned by the Department of Public Service in pursuance of the resolution of this Council:

Resolution date 7/13/81 Ordered

P.S. No. 17014 Storm

Property Benefited: All lands fronting on Orchard Glen Avenue from N. East Street (US-27) to the East end of street excepting all public streets and alleys and other lands deemed not benefited.

be received, approved and placed on file.

The Engineer's estimated expense of said improvements are as follows:

Project Number PS 74064

Assessment Roll No. Storm

| | |
|---|---|
| Intersection and City Contribution | $ 0.00 |
| Assessable to Proprty Owners | 11,000.00 |
| Total Project Cost | $11,000.00 |

That the Purchasing Director be directed to advertise and let for bid the specifications for said projects as submitted by the Department of Public Service.

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That the City Assessor be, and is directed to make special assessment installment rolls, based upon bids to be received and other related costs of construction, and return same to the City Council.

This project will be included in the Midwood-Renee Storm Sewer Contract, PS 74064.

I hereby certify that funds are available and encumbered for the City of Lansing's share of said project.

CHARLES S. REMENAR,
Deputy City Controller.

Adopted by the following vote:

Unanimously.

By Committee on PHYSICAL DEVELOPMENT—

Resolved by the City Council of the City of Lansing:

That the plans and specifications returned by the Department of Public Service in pursuance of the resolution of this Council:

Resolution date 4/27/81

P.S. Number 17026 C & G

Property Benefited: All lands fronting on Seventh Avenue from Randall Street to Vance Street excepting all public streets and alleys and other lands deemed not benefited.

be received, approved and placed on file.

The Engineer's estimated expense of said improvements are as follows:

Project Number PS 17026

| | |
|---|---|
| Intersection and City Contribution | $1,100.00* |
| Assessable to Property Owners | 1,400.00 |
| Total Project Cost | $2,500.00 |

*203-456-615-974

NOTE: This project will be included as part of the 1981 Local Street Curb and Gutter Repair Contract, PS 27041.

That the City Assessor be, and is directed to make special assessment installment rolls, based upon bids to be received and other related costs of construction, and return same to the City Council.

I hereby certify that funds are available and encumbered for the City of Lansing's share of said project.

CHARLES S. REMENAR,
Deputy City Controller.

Adopted by the following vote:

Unanimously.

By COUNCILMAN WORTHINGTON—

Resolved by the City Council of the City of Lansing:

FCF-1-81
524 Tisdale

Whereas in accordance with the provisions of Act 28, Public Act of 1977, of the State of Michigan, the Michigan Department of Social Services has notified the City of Lansing of its intent to license an adult foster care family home upon the premises known as 524 Tisdale; and

Whereas it is deemed desirable that the Council of the City of Lansing make a recommendation to the Department of Social Services;

Now, Therefore, Be It Resolved that a public hearing shall be conducted on Monday, August 17, 1981 at 7 p.m. in the City Council Chamber, on the Tenth (10) Floor of City Hall, Lansing, Michigan, where all persons with an interest in this matter may attend and speak.

Adopted by the following vote:

Unanimously.

By COUNCILMAN WORTHINGTON—

Whereas, by petition duly filed on the 27th day of April, 1981, this council was petitioned to change the following described property from "A" One Family Residential District to "F" Commercial and "D-1" Professional Office Districts all as set forth in the Zoning Code of this city, and

Whereas, due notice as required by law has been given for a public hearing on said petition, and

Whereas, at such hearing held on the 13th day of July, 1981, all parties interested therein were heard and given due consideration, and

Whereas, the property involved is described as:

Z-16-81 — Vacant land located at the southwest corner of Edgewood Boulevard and American Road.

More particularly described as:

Parcel No. 3305-09-226-012 (part of)

A part of the southwest ¼ of Section 10 and part of the southeast ¼ of Section 9, T3N, R2W, City of Lansing, Ingham County, Michigan described as: Commencing on the ¼ corner common to Sections 9 and 10; thence south 00° 05' 12" east 415.01 feet along the section line common to Sections 9 and 10; thence east 343.44 feet to the northwest corner of Lot 7, Plat of Kahres Farm as recorded in Liber 31 of plats, pages 9-12, Ingham County records; thence south 27° 58' 02" east 422.32 feet along the west line of said Lot 7 to the north

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line of Highway I-96; thence along said north line the following 6 courses; south 68° 38′ 48″ west 238.84 feet; thence southwesterly 231.58 feet along a 3628.71 foot radius curve to the right whose chord bears south 70° 28′ 30″ west 231.55 feet; thence north 00° 05′ 12″ west 109.84 feet; thence south 89° 54′ 48″ west 100.00 feet to the section line common to Sections 9 and 10; thence south 00° 05′ 12″ east 140.00 feet; thence southwesterly 882.17 feet along a 3628.71 foot radius curve to the right whose chord bears south 80° 55′ 01″ west 880.00 feet; thence north 02° 07′ 07″ east 170.00 feet; thence north 22° 01′ 59″ east 258.42 feet; thence northeasterly 864.19 feet along a 872.50 foot radius curve to the left whose chord bears north 83° 39′ 29″ east 829.30 feet; thence north 55° 16′ 58″ east 360.91 feet to the point of beginning, containing 10.19 acres of land more or less and subject to any right-of-way or easements of record;

from an "A" One Family Residential District to an "F" Commercial District; and

Parcel No. 3305-09-226-012 (part of)

A part of the east ½ of Section 9, T3N, R2W, City of Lansing, Ingham County, Michigan described as, beginning on the east/west ¼ line of said Section 9, south 89° 37′ 45″ west 1381.36 feet from the east ¼ corner; thence south 27° 58′ 02″ east 343.77 feet; thence southeasterly 609.11 feet along an 872.50 foot radius curve to th left whose chord bears south 47° 58′ 01″ east 596.82 feet; thence south 22° 01′ 59″ west 258.42 feet; thence south 02° 07′ 07″ west 170.00 feet to the north line of Highway I-96; thence along said north line the following 2 courses: thence northwesterly 850.68 feet along a 3628.71 foot radius curve to the right whose chord bears north 85° 24′ 09″ west 848.73 feet; thence north 78° 41′ 12″ west 660.38 feet; thence north 00° 03′ 52″ east 875.75 feet; thence north 77° 04′ 02″ east 362.79 feet to the south line of Edgewood Boulevard on the plat of Kahres Farm as recorded in Liber 31 of Plats, pages 9-12, Ingham County records; thence north 62° 01′ 58″ west 532.50 feet along said south line; thence south 27° 58′ 02″ east 330.14 feet to the point of beginning; containing 33.67 acres of land more or less and subject to any easements or rights-of-way of record;

from an "A" One Family Residential District to a "D-1" Professional Office District; and

Whereas the Planning Board, at their meeting of June 2, 1981, recommended that the petition be approved; and

Whereas the Physical Development Committee of the Council, to whom the report of the Planning Board was referred, concurs therewith;

Now, Therefore, Be It Resolved that the Council of the City of Lansing hereby approves the petition to rezone the above described properties from an "A" One Family Residential District to a "D-1" Professional Office and an "F" Commercial District; and

Be It Further Resolved that the City Clerk be, and she is hereby, directed to notify the petitioner of this action.

Adopted by the following vote:

Unanimously.

By Committee of THE WHOLE—

Resolved by the City Council of the City of Lansing:

Whereas, the City of Lansing has received proposals to purchase and redevelop Parcel 10 of Urban Renewal Project No. 1, located at the northwest corner of the intersection of Ottawa Street and the Washington Square Mall, from Dart Energy Corporation and R & R Development Company; and

Whereas, said proposals have been reviewed and recommended by the Redevelopment Division of the Department of Building Safety and Development, the Housing and Redevelopment Advisory Board, the Mayor's Economic Development Advisory Group, and the Mayor; and

Whereas, the City Council of the City of Lansing has reviewed the recommendations of those offices and agencies set forth above;

Now, Therefore, Be It Resolved by the City Council of the City of Lansing that the proposal of Dart Energy Corporation dated July 1, 1981, be and is hereby conditionally accepted, subject to Dart meeting the conditions set forth in the staff recommendations report of the Redevelopment Division dated July 14, 1981; and

Be It Further Resolved that the proposal of R & R Development Company dated May 15, 1980 be and is hereby rejected and that the City Controller shall cause the good faith deposit of $4,620.00 to be promptly returned to R & R Development Company; and

Be It Further Resolved that the City Council of the City of Lansing does hereby determine that it is in the best interests of the City to waive, and does hereby waive, the following proposal requirements for the Dart proposal:

A. The submission of a site plan.

B. The submission of a rendering showing the building perspective.

C. The submission of a statement identifying the principal architects that will be working on the project.

D. The submission of a financial statement showing assets and liabilities.

E. The submission of a description of the facade materials to be utilized;

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and

Be It Further Resolved by the City Council of the City of Lansing that Parcel 10 be and is hereby removed from the market for the period of time necessary for Dart to meet the conditions set forth in the staff recommendations report, attached hereto, of the Redevelopment Division dated July 14, 1981; and

Be It Further Resolved that in the event Dart meets said conditions in a timely manner, the City Administration is encouraged to promptly negotiate a Contract for Sale of Land for Private Redevelopment with Dart and forward the contract for City Council review as soon as practically possible; and

Be It Further Resolved that the City Council of the City of Lansing concurs with th recommendation of the Mayor and his Economic Development Advisory Group that Dart's request for 200 parking spaces be met by providing 100 spaces in either the city-owned North Capitol Avenue Parking Ramp or the North Grand Avenue Parking Ramp, or a combination thereof, on a prelease basis to Dart and that the City will make a concerted effort to provide an additional 100 parking spaces; and

Be It Finally Resolved by the City Council of the City of Lansing that it expresses its pleasure with the choice of Parcel 10 by Dart Energy Corporation as its new corporate headquarters.

By COUNCILMAN LINDEMANN—

That the 9th paragraph be changed to read as follows:

Be It Further Resolved that the City Council of the City of Lansing concurs with the recommendation of the Mayor and his Economic Development Advisory Group that the Dart's request for 200 parking spaces be met by providing 100 spaces in either the City owned North Capitol Avenue Parking Ramp or the North Grand Avenue Parking Ramp or a combination thereof, on a pre-leased basis to Dart and **the City will also provide up to an additional 100 parking spaces in city owned ramps or lots;** and

Carried.

The resolution as amended was adopted by the following vote:

Unanimously.

By Committee of THE WHOLE—

Resolved by the City Council of the City of Lansing:

Whereas, the City of Lansing has filed a condemnation action to obtain certain land situated on St. Joseph Street in the Capitol Commons Area; and

Whereas, the land is necessary to complete development of Phase One of the Capitol Commons Project; and

Whereas, negotiations between the owners of said property and the City have resulted in a proposed settlement of the condemnation; and

Whereas, the proposed settlement has been recommended by the City Attorney and Redevelopment staff as being in the best interests of the City of Lansing; Now, Therefore

Be It Hereby Resolved that the City Attorney is authorized to enter into a settlement of the condemnation action which will provide that the City shall obtain unencumbered fee simple title to the subject property and the condemnation shall be dismissed for a total cost of no more than $56,000.00 with $15,000.00 to be paid by the developer of Capitol Commons and no more than $41,000.00 to be paid from other revenues of the City of Lansing; and

Be It Further Resolved that the Mayor, City Attorney and City Clerk are authorized to execute or cause to be executed all documents necessary to effect the settlement on the above terms.

Adopted by the following vote:

Unanimously.

By Committee of THE WHOLE—

Resolved by the City Council of the City of Lansing:

FISCAL YEAR 1981-82

That the following transfer be approved:

$18,000 from Estimated Revenues
A/C 250-000-000-160

$18,000 to Capitol Commons Land Acquisition
A/C 252-839-006-978

I hereby certify that this is a properly drawn and eligible transfer.

JAMES W. DOWSETT,
Finance Director.

Adopted by the following vote:

Unanimously.

By COUNCILMAN McKANE—

Resolved by the City Council of the City of Lansing:

That the rules of the Council be waived for the purpose of presenting items that are not listed on the agenda.

Carried.

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July 27, 1981

Council President Lucile Belen and Councilmembers

Lansing City Council Office

10th Floor, City Hall

Lansing, Michigan 48933

Dear Colleagues:

After a recent "Meet the Candidates Meeting", Elizabeth Bogue, staff member of Legal Aid of Central Michigan, met with me to discuss a problem of consequence to their staff and to a number of people throughout the community.

She is saying in the attached letter that the Lansing Police Department is not enforcing the warrantless arrest section of the Michigan Spouse Abuse Act of 1978.

I am not taking a position on this matter at the present time due to the fact that I have received information from only one side of the issue, but I do believe that the matter should be referred to the Committee-of-the-Whole so that a general discussion may be held with the Police Chief as well as with Elizabeth Bogue.

The attached resolution has been suggested by Ms. Bogue and should be considered by the Council, unless the Chief of Police agrees with her and independently asserts his willingness to provide full enforcement of the law in question.

Sincerely,

TERRY J. McKANE,
Third Ward Councilman.

Referred to the Committee of the Whole.

## REMARKS BY THE MAYOR'S EXECUTIVE ASSISTANT

No comment.

## REMARKS BY THE COUNCIL:

Councilman Adado announced that all Candidates and their viewpoints could be seen at various times during the day on Channel 28 from Monday, July 27, 1981 through Tuesday, August 4, 1981.

By COUNCILMAN LINDEMANN—

That the resolution that was adopted on Monday, July 20, 1981 be reconsidered.

Carried.

By COUNCILMAN LINDEMANN—

That in the resolution that was adopted on Monday, July 20, 1981 in regard to the sale of properties on Shepard, Leslie and Regent Streets be amended as follows:

In the 2nd Whereas the 1st condition the word "east" be changed to read "North."

Carried.

The following persons spoke about the conditions at the N. Grand Avenue parking ramp, i.e., crime and dirty conditions:

Robert Kennon, 1505 Osborn Rd., and read letter from Harry R. Smith, 1132 S. Genesee Dr.

Debi Sue Wallace, 1034 N. Homer, Apt. 1, and presented petition.

Hilda Patricia Curran, 1505 Osborn Rd., who was attacked in the ramp.

David Angel, owner of eating place in ramp.

Bernard Partee spoke.

The City Attorney is to prepare a resolution relative to having police protection and other needed conditions taken care of in the N. Grand ramp.

By COUNCILMAN BLAIR—

That this meeting stand adjourned.

Carried.

Council adjourned at 8:30 P.M.

THEO FULTON,
City Clerk.

Lansing, Michigan

July 27, 1981

F/B

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

CITY CLERK'S OFFICE
Room 921, City Hall
Lansing, Michigan 48933

Address Correction Requested

BULK RATE
U. S. POSTAGE
PAID
Permit No. 1461
Lansing, Michigan



# OFFICIAL PROCEEDINGS OF
# THE CITY COUNCIL
## OF THE CITY OF LANSING

## Proceedings, August 3, 1981

CITY COUNCIL ROOMS

Lansing, Michigan

August 3, 1981

The City Council of the City of Lansing, Michigan, met in regular session and was called to order by President Belen.

Present: Councilmen Adado, Belen, Blair, Brenke, Gunther, Lindemann, McKane, Worthington—8.

Absent: None.

The Clerk announced that a quorum of the Council was present.

Invocation was given by Councilman Worthington.

Pledge of Allegiance was led by Councilman Worthington.

### PUBLIC HEARINGS

August 3, 1981, at 7:00 o'clock being the time set as the time for holding a public hearing on the proposed demolition of property at 920 Raider St.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed demolition they had the privilege of speaking at this time.

Neil Gaudard, 1034 Raider St., spoke.

Referred to Committee on General Services.

August 3, 1981, at 7:00 o'clock being the time set as the time for holding a public hearing on the proposed establishment of a Lansing Commercial Redevelopment District for Jerry Zimmerman (City Fish Co.), N.E. corner of Hillsdale St. and Washington Avenue.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed district they had the privilege of speaking at this time.

Referred to Committee on Economic Development.

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August 3, 1981, at 7:00 o'clock being the time set as the time for holding a public hearing on the proposed Industrial Facilities Exemption Certificate for Industrial Welding, Inc. — 2200 Olds Avenue.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed certificate they had the privilege of speaking at this time.

Referred to Committee on Economic Development.

August 3, 1981, at 7:00 o'clock being the time set as the time for holding a public hearing on the proposed project plan for—Quality Dairy Co.—Pleasant Grove and Holmes Rd.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed plan they had the privilege of speaking at this time.

Referred to Committee on Economic Development.

## REVIEWING ASSESSMENT ROLLS

### No. 283

This is the time set for hearing appeals on the special assessment roll for construction of a 27" interceptor sewer along the Grand River from the end of the existing 27" sewer approx. 1000 feet on easement to serve Glenburne No. 5 Subd.

No appeals.

Referred to Committee on Physical Development.

**THE PUBLIC MAY NOW ADDRESS THE CITY COUNCIL ON ANY OF THE FOLLOWING ITEMS LISTED ON THE AGENDA: COMMUNICATIONS AND PETITIONS, COMMITTEE REPORTS, REPORTS OF CITY OFFICERS AND BOARDS, AND RESOLUTIONS. YOU MAY SPEAK ONLY FOR 3 MINUTES ON ANY ONE ITEM.**

Mr. Hart, 753 Princeton, spoke relative parking at Princeton and Oakland.

Referred to Mayor.

## COMMUNICATIONS AND PETITIONS

The following applications and bonds have been filed for licenses:

PEDDLER —

Paul Green.

Referred to Committee on General Services.

Claim filed by Eugene Clark for damage to motorcycle due to skidding on an oil slick left from a city vehicle.

Referred to Mayor, City Attorney.

The Roary Corporation submits preliminary plats for:

Webster Farms No. 5 Subd.

Macron Subd.

Referred to Mayor, Planning Board.

Petition filed for the erection of 3-stop signs at Wabash Rd. and Leawood Dr.

Referred to Mayor, Traffic Board.

Letter from F. R. Mercer, President of the First State Savings protesting the special downtown assessment.

Referred to Mayor.

Wayne E. Magee submits request for reduction of the easement for the Grinnel Drain within the Good Homes Subd.

Referred to Mayor, Planning Board.

Mildred Caesar submits her resignation from the South Central Neighborhood Organization and the Waterfront Development Board.

Referred to Mayor.

Letter from the Riverfest Committee relative items needed for the weekend of the Riverfest.

Referred to Mayor.

Notice from Consumers Power Co. of public hearing to be held in regard to monthly billings.

Received and placed on file.

## MAYOR'S EXECUTIVE ASSISTANT COMMENTS ON ANY ITEM ON THE AGENDA:

Mr. Black made comments in regard to the traffic light at Cedar and Riley Streets.

## REPORTS OF COMMITTEES

The Committee on GENERAL SERVICES approves the following applications and bonds for licenses:

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PEDDLER —

Paul Green.

Signed:

WILLIAM A. BRENKE,
TERRY J. McKANE,
PAT LINDEMANN,
Committee on General Services.

By COUNCILMAN BRENKE—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

The Committee on PUBLIC PROPERTIES AND SAFETY, to whom was referred the residents' complaints about cleanliness and lack of security in the North Capitol Parking Ramp, reports as follows:

Regarding cleanliness, the Administration has assured the Committee that maintenance of the facility has already improved, and this statement has been verified by one of the City's tenants in the ramp. Doors will be replaced, lights will be maintained, and the possible need for additional lighting will be studied. Exit doors will have their locking mechanisms removed. Custodial contractors are now cleaning the ramps during 5-8 a.m. to ensure that early-morning users are not greeted by messy, smelly stairwells and elevators.

Regarding security in the ramps, the City Attorney's Office has removed the requirement for verbal warnings to vagrants to "move along" before an arrest can be made. With the lifting of this restriction, police will be able to immediately arrest individuals found loitering in the ramps.

Special attention by the Police Department was pledged, including patrols of the North Capitol Ramp seven days per week, and all ramps on a continuing daily basis.

The Committee reviewed a variety of options for additional security in the ramps. We are recommending a 6 month contract with a private firm to provide two 6 hour shifts per day, two guards per shift, covering all four ramps. Our recommendation for the scheduling of these shifts is first—7:30 a.m. to 1:30 p.m., and second, 4:30 p.m. to 10:30 p.m. We recognize, however, that the Administration is in the best position to make final decisions on the shift schedules.

The Special Downtown Parking Committee's report to the Council should be presented within the six month contract period, and should include a specific recommendation on the relative value of the security guards.

Using information provided by the Parking Division, we estimate the cost of the six month contract to be $18,000. This matter is hereby referred to the Committee on Ways and Means with our strongest recommendation for immediate action to approve a transfer of funds for the contract.

Signed:

PAT LINDEMANN,
SIDNEY P. WORTHINGTON,
JAMES D. BLAIR,
Committee on Public Properties and Safety.

By COUNCILMAN LINDEMANN—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

The Committee on PHYSICAL DEVELOPMENT, to whom was referred the ordinance of the City of Lansing providing that Chapter 36, Article XIV of the Code be amended by adding a new section to be numbered 36-99.1E to provide for an amendment to the amended Physical Development Plan for NDA No. 1 for the acquisition of property at 1404 West Kalamazoo St., reports as follows:

That said ordinance be approved.

Signed:

SIDNEY P. WORTHINGTON,
WILLIAM A. BRENKE,
LUCILE BELEN,
Committee on Physical Development.

By COUNCILMAN WORTHINGTON—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

## REPORTS OF CITY OFFICERS AND BOARDS

July 27, 1981

President Lucile Belen and
Members of City Council

Re: Claim of Arthur Day in the amount of $342.00

Dear President Belen and
Members of City Council:

The claimant, Mr. Arthur Day, alleges that a special assessment charge of $342.00 was illegally placed upon his 1981 tax statement as a result of the City's abatement of a nuisance on the claimant's property which is located at 925 Princeton Avenue.

Investigation by this office reveals that on October 21, 1980, Henry Hernandez, a Lansing Building Department Housing Inspector, informed Mr. Day that the condi-

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tion of 925 Princeton, constituted a public nuisance being a violation of Chapter 9A, §9 (D) (4) of the Lansing Code of Ordinances. Specifically, Mr. Hernandez's invesitgation of the property revealed that the dwelling was vacant and further the dwelling was open at the rear door of the bulding and attached garage. Mr. Hernndez directed that the nuisance be abated within seven (7) days of receipt of the October 21, 1980 communication.

Mr. Day responded to Hernandez's directive on October 22, 1980 stating that the building was ". . . left open deliberately so the Board of Water and Light and Consumers Power Company could get in to read the meter and turn on the service."

Inspection by Hernandez on November 3, 1980 revealed that the nuisance at 925 Princeton had not been abated. Accordingly, an order was made by Steve Zelski that the nuisance be abated on November 14, 1980. On November 18, 1980 City crews boarded up the dwelling abating the nuisance. The charges assessed in the amount of $342.00 were set forth in the attached building maintenance work request.

Mr. Day contends that the assessment was improper due to the City's failure to comply with certain procedural requirements concerning nuisance abatement found in Chapter 9, et seq. However, in the instant case, the nuisance described was abated pursuant to Section 21-12 of the Lansing Code of Ordinances which provides for the exercise of summary procedures to abate a nuisance in the discretion of Building Department officials provided the Mayor has authorized the Building Department to utilize the summary powers.

Accordingly, Mayor Gerald Graves in a letter dated January 7, 1980 authorized the Building Department to utilize the summary powers existing in Section 21-12 of the Lansing Code of Ordinances. As a result, the abatement regarding 925 Princeton was made pursuant to this Mayoral delegation.

On December 5, 1980 James W. Kzeski forwarded to Paul Creevy, City Assessor, a list of assessments for abatement of hazardous and unsanitary properties to be placed on the July 1981 tax roll. Listed on that December 5th memo is that assessment concerning claimant's property at 925 Princeton. Further, pursuant to Section 21-13 of the Lansing Code of Ordinances the assessment was forwarded to City Council on December 8, 1980. By unanimous Council action the assessment concerning 925 Princeton was approved without objection at the public meeting of Council on December 15, 1980.

Based on the above stated facts, the City of Lansing was legally entitled to and did properly make the assessment concerning 925 Princeton and it is the recommendation of this office that Mr. Day's request to remove the special assessment of $342.00 which was placed upon the property at 925 Princeton Avenue be denied.

Respectfully submitted,

CHRIS BERGSTROM,
Assistant City Attorney.

By COUNCILMAN ADADO—

That we concur in the recommendation of the City Attorney and that said request of Mr. Day's to remove the special assessment which was placed on his property at 925 Princeton Ave. be denied.

Carried.

July 30, 1981

Honorable President Lucile Belen
and Members of the Lansing City Council

10th Floor, City Hall

Lansing, Michigan 48933

Re: Claim of Thomas Dunneback in the amount of $32.24

Dear President Belen and
Members of City Council:

The claimant requests reimbursement for the cost of a jacket sprayed with paint while he was employed with the Lansing Parks and Recreation Department. Mr. Dunneback, an employee of the Ground Operations Division, was performing duties painting the crib area of the shop when fellow employees disregarded their supervisor's instructions on sealing off the area to be painted. As a result, the spray paint drifted over a tarpaulin improperly erected destroying this claimant's jacket.

Court decisions clearly indicates that a city lacks the authority to pay gratuities to its employees. See Cain v City of Flint, 342 Mich 74 (1955). However, the courts have held that a municipality may reimburse its employees for expenses incurred in fulfilling their bona fide duties as public employees, although a municipality is not legally obligated to do so. See Ware v Battle Creek, 201 Mich 468 (1918); Horton v Kalamazoo, 81 Mich App 78 (1978).

Based on the facts presented, there does not appear to be any legal liability on behalf of the City and this claimant's claim for damages might better be directed against the fellow employees who ignored their supervisor's advice regarding the placement of the trapaulin. Additionally, while the claimant incurred this loss while performing his duties as an employee of the City of Lansing, it should not be unexpected that an employee acting in his function might damage or destroy clothing apparel when working with spray paint.

Even though the City is empowered to compensate this claimant for his clothing loss, it is clear from the aforementioned authority and the circumstances in this instance that the City has no legal obligation to do so. Therefore, from a strictly legal perspective, it is the recommendation of this office that this claim be denied.

Respectfully submitted,

CHRIS BERGSTROM,
for Stephen R. Sawyer,
City Attorney.

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By COUNCILMAN ADADO—

That we do not concur in the recommendation of the City Attorney and said claim be allowed and the City Clerk be and she is hereby directed to draw a warrant on the City Treasurer in the amount of $32.24 payable to Thomas Dunneback.

Carried.

July 28, 1981

Chairman Belen and Members
Lansing City Council

Gentlemen:

We are attaching applications for parade permits from the below-described organizations, which have been approved by all the necessary departments:

1. Muscular Dystrophy Association, scheduled for noon on Saturday, August 15, 1981, for a bed race. This will cost the City a total of $379.08, which represents one Sergeant, four Police Officers and five vehicles for four hours.

2. Eastern High School Athletic Department, for a 5,000 and 10,000 meter race scheduled for 8:30 A.M. on Saturday, September 19, 1981. This will cost the City a total of $414.42, which represents one Sergeant, ten Police Officers and 11 vehicles for two hours.

These are being sent to you for final action.

Respectfully yours,

RICHARD A. GLEASON,
Chief of Police.

By COUNCILMAN GUNTHER—

That we concur in the recommendation of the Chief of Police and said parade permits be approved.

Carried.

DATE: 7/28/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Director of Building Safety and Development. Re: Grass Cutting Assessment for December 1981 Tax Roll (L-20).

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

By COUNCILMAN BRENKE—

That we concur in the recommendation of the Mayor and said assessments be placed on the December tax roll.

Carried.

DATE: 7/27/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Building Safety and Development Director. Re: Trash Removal Assessment.

The attached correspondence is forwardd with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

By COUNCILMAN BRENKE—

That we concur in the recommendation of the Mayor and said assessments be placed on the December tax roll.

Carried.

July 28, 1981

Honorable Council President Lucile Belen and Members of the Lansing City Council

10th Floor, City Hall

Lansing, Michigan 48933

Dear Council President and Members:

On June 5, 1981, the name of Nelson Stark was submitted to you for consideration to serve as a member of the Public Service Board. After confirmation of that appointment, this office was informed that Mr. Stark is not eligible to serve as a member of the Board.

Therefore, I am submitting to you for your consideration and confirmation, the name of Ernest (Sam) Pardee to fill said vacancy, which term expires in June of 1985.

Mr. Stark has been a Personnel Officer with the Michigan National Guard for the past 28 years and resides at 2518 Gary Street in the City of Lansing.

Trusting this recommendation meets with your approval, I remain

Sincerely,

GERALD W. GRAVES,
Mayor.

Referred to Committee on Physical Development.

July 28, 1981

Honorable Council President Lucile Belen and Members of the Lansing City Council

10th Floor, City Hall

Lansing, Michigan 48933

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Dear Council President and Members:

On May 21, 1981, the name of June Manning Thomas was submitted to you for consideration to serve as a member of the Board of Zoning Appeals. However, before receiving your confirmation, Ms. Thomas has informed this office that she will be moving to Cleveland.

Therefore, I am now submitting to you for your consideration and confirmation, the name of Marie L. Meisenbach, to fill said vacancy, which term expires in June of 1982.

Ms. Meisenbach is Director of Planning, Michigan Economics for Human Development and resides in the City of Lansing at 1314 W. Shiawassee.

Trusting this recommendation meets with your approval, I remain

Sincerely,

GERALD W. GRAVES,
Mayor.

Referred to Committee on Physical Development.

July 27, 1981

Hononable Council President Lucile Belen and Members of the Lansing City Council

10th Floor, City Hall

Lansing, Michigan 48933

Dear Council President and Members:

This office has been notified by the Civic Center Board Chairman, that Ralph Sanchez has not been attending meetings of the Board. After repeated attempts to make contact with Mr. Sanchez to ascertain his desires and receiving no reply, the Board has requested that he be replaced. Therefore, I am submitting to you, for your consideration and confirmation, the name of Priscilla Lane to fill this vacancy, which term expires in June of 1982.

Ms. Lane is currently employed by the State of Michigan as a Data Coding Operator and resides in the City of Lansing at 5511 Kaynorth No. 2.

Trusting this recommendation meets with your approval, I remain

Sincerely,

GERALD W. GRAVES,
Mayor.

Referred to Committee on Public Property and Safety.

July 29, 1981

Honorable Council President Lucile Belen and Members of the Lansing City Council

10th Floor, City Hall

Lansing, Michigan 48933

Dear Council President and Members:

This is to advise that I have appointed Rosie L. Olsen to serve as a member of the Mayor's Police Community Relations Advisor yBoard.

Ms. Olsen is a Consultant for a resource development agency which deals mainly with Indian affairs. She resides in the City of Lansing at 118 Shepard.

This communication is forwarded for informational purposes.

Sincerely,

GERALD W. GRAVES,
Mayor.

Received and placed on file.

July 27 ,1981

Council President Lucile Belen and Members of the Lansing City Council

10th Floor, City Hall

Lansing, Michigan 48933

Dear Council President and Members:

Please find attached notification from the U. S. Department of Housing and Urban Development (HUD) approving 16 units of existing housing to be managed by the Lansing Housing Commission. This will enable and encourage private property owners of 16 homes to improve their properties to standard code requirements and have those properties subsidized through the Housing Commission to fulfill housing needs for qualifying families. HUD will contribute up to $69,216 annually to meet the housing costs of these families. This is submitted to you as a matter of information.

Sincerely,

GERALD W. GRAVES,
Mayor.

Received and placed on file.

July 30, 1981

Council President Lucile Belen and Members of Lansing City Council

10th Floor, City Hall

Lansing, Michigan 48933

Dear Council President and Members:

As you are aware at the Lansing City Council meeting on Monday, July 27, 1981, several citizen complaints were voiced regarding unsavory conditions existing in City parking garages, particularly in the North Capitol facility. Among these were lack of adequate security, cleanliness, lighting, inoperative doors and vagrant loitering.

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Staff and administrative meetings were held immediately Tuesday morning to study and evaluate all complaints made and to develop internal corrective procedures and policies. Among these are:

1) Intensified law enforcement and patrol activities by L.P.D. including elements from the Uniform Division, Motorcycle Division and the Flexi-Patrol.

2) City Attorney authorization for L.P.D. to arrest vagrants, vandals and other undesirables.

3) Increasing cleaning and maintenance cycle from three (3) to five (5) days per week.

4) Installation of temporary lighting where necessary until replacement parts can be obtained.

5) Reconstruction of both doors leading to top deck of the North Capitol ramp which will minimize hardware and door knob breakage.

6) Greater frequency of inspection of stair wells and parking levels by Traffic Division personnel.

In addition to implementation of the above noted administrative actions, all city staff members involved met with the Council Committee on Public Properties and Safety at 2:30 p.m. Tuesday, July 28, 1981 to review this matter and offer alternatives and options for additional guards/watchman. It was agreed and decided the Council Committee on Public Properties and Safety would request the Committee on Ways and Means recommend and authorize an appropriation of $18,000 to hire additional parking ramp security personnel.

Trusting this meets with your approval, I remain

Sincerely,

GERALD W. GRAVES,
Mayor.

Referred to Committee on Public Property and Safety and the Parking Study Committee.

July 31, 1981

Council President Lucile Belen and
Members of the Lansing City Council

10th Floor, City Hall

Lansing, Michigan 48933

Dear Council President and Members:

I am forwarding for your action a report from my Economic Development Advisory Group regarding the recent application for tax abatement from Fisher Body Division of General Motors Corporation. I wish to offer my unqualified support to this application, which will result in a $105 million investment in the Lansing Fisher Body plant and will bring in $8.3 million in property taxes to local governmental units over the 12-year life of the abatement.

This is the first phase of a multi-year project and will result in a 40,000 square foot plant expansion at this time costing over $9 million. In order to remain competitive in the world automotive market, Fisher Body will also be installing nearly $96 million in new equipment as part of this first phase of its expansion and modernization project.

Fisher Body does not predict or promise that any measurable quantity of new employees will result from this project. Through May 1981, the plant averaged 5,434 employees, and this improvement program will help assure that these employees retain their positions for upcoming years. There will be several hundred construction jobs involved during this first phase for Lansing's hard-hit construction industry.

City Council should in its actions take note of two additional items in this request. First, the Council action of July 11, 1977, stated that . . . "during the term of any industrial facility tax exemption certificate which may be granted for said district that the applicant or its successors shall make no further application in such district for any additional rehabilitation districts or rehabilitation tax abatement whatsoever to which it could be entitled pursuant to 1974 PA 198 . . ." The conditions of the automotive industry have changed so rapidly that this provision is unreasonable. I must ask that Council re-consider this requirement, which was self-imposed by the City of Lansing and not ever agreed to by Fisher Body, or its representatives. Second, Fisher Body notes in its application that completion of this first phase of the improvement project is anticipated to take more than two years. Fisher Body stated in its application, "It is requested that the two year time limitation for completion of the project after the effective date of the certificate be waived." Section 15(2) of Public Act 198 of 1974 states, "The legislative body of a local governmental unit may by resolution request the commission (state tax commission) to revoke the industrial facilities exemption certificate of a facility upon the grounds that completion of the facility has not occurred within 2 years after the effective date of the certificate, unless a greater time has been authorized by the commission for good cause . . ." City Council should go on record that it will not ask for revocation of this certificate so long as reasonable progress continues toward completion of the project. This decision should be made locally, rather than be put in the hands of the State Tax Commission which may not be as responsive to the activities of local businesses.

I ask for your wholehearted support to grant the full extent of the industrial facilities exemption certificate, as requested. I urge City Council to take this step in fostering the spirit of cooperation and goodwill which we have all worked so hard to achieve during the last four years.

Sincerely,

GERALD W. GRAVES,
Mayor.

Referred to Committee on Economic Development.

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DATE: 7/30/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Traffic Engineer. Re: Request to close Allegan Street between Pine and Sycamore for approximately 6 weeks.

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

By COUNCILMAN LINDEMANN—

That we concur in the recommendation of the Mayor and said Allegan Street be closed between Pine and Sycamore Streets for a period of 6 weeks.

Carried.

DATE: 7/30/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Traffic Engineer. Re: Request to reverse stop signs at Ingham St. and Reo Road.

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Public Property and Safety.

DATE: 7/30/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Traffic Engineer. Re: Recommendation to prohibit parking on Plymouth Drive near Lyons Park .

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Public Property and Safety.

DATE: 7/30/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the City Controller. Re: Release of $1,605.00 in monument deposits.

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

By COUNCILMAN McKANE—

That we concur in the recommendation of the Mayor and said release of funds in monuments deposits be released.

Carried.

DATE: 7/30/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the City Controller. Re: Request to release $1,600 in financial security for completion of public improvements in Lancen Village No. 2 Subdivision.

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

By COUNCILMAN McKANE—

That we concur in the recommendation of the Mayor and said funds be released in financial security for the completion of public improvements in Lancen Village No. 2 Subd.

Carried.

DATE: 7/30/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the City Controller. Re: Request to release $560.00 in financial security for completion of public improvements in Lancen Village No. 3 Subdivision.

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

By COUNCILMAN McKANE—

That we concur in the recommendation of the Mayor and said funds be released in financial security for the completion of public improvements in Lancen Village No. 3 Subd.

Carried.

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

DATE: 7/30/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Director of Building, Safety and Development. Re: Request for public hearing on property at 531 N. Walnut.

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

By COUNCILMAN BRENKE—

That we concur in the recommendation of the Mayor and said public hearing be scheduled for August 24, 1981.

Carried.

July 30, 1981

Honorable Council President Lucile Belen and Members of the Lansing City Council

10th Floor, City Hall

Lansing, Michigan 48933

Dear Council President and Members:

Please find attached a memorandum from City Controller, Stephen W. Duarte, as a preliminary response to the Interim Monitoring Report from the Internal Auditor regarding the Arts Council Center's CETA contract. This memorandum is in compliance with Article 4 - 102.6 of the City Charter.

A further follow-up will be provided to the City Council in a timely manner following receipt of requested information from the Arts Council Center.

Sincerely,

GERALD W. GRAVES,
Mayor.

Referred to Committee on Ways and Means.

## RESOLUTIONS

By COUNCILMAN BELEN—

Resolved by the City Council of the City of Lansing:

Whereas, it is necessary for the City Election Commission to appoint a member to the City Board of Canvassers for the replacement of Peggy Bokovoy who resigned to become a member of the Capitol Regional Airport Authority, therefore

Be It Resolved, that Ralph F. Swan be appointed to fill the unexpired term, said term expiring December 1982.

This is in accordance with P.A. 65 as amended.

Adopted by the following vote:

Unanimously.

By Committee on GENERAL SERVICES—

Resolved by the City Council of the City of Lansing:

Whereas, Helen and Harry McDaniels, Ruby and Houston Malone, and John and Lela Dahl, legal owners of the property located at 616 South Clemens Avenue, legally described as:

Lot 6, Ullrich's Subd.
3301-14-361-041-1
Rec L4 P28

did submit a written request to the Department of Building Safety and Development to demolish and remove a condemned one-family residential structure located at the above address, and that all costs be applied to the property tax roll;

Resolved, that the City Council of the City of Lansing hereby authorizes the Director of Building Safety and Development to proceed with demolition and removal of the structure, filling and grading the site, and the Purchasing Director is authorized to obtain quotations for the work.

Resolved, that the cost of such demoliiton shall be a lien against the real property and shall be reported to the City Assessor who shall assess the same against the property upon which the building is presently located.

Adopted by the following vote:

Unanimously.

By ECONOMIC DEVELOPMENT Committee—

Resolved by the City Council of the City of Lansing:

Whereas, it is necessary to hold a public hearing prior to the Council approval of Commercial Redevelopment Exemption Certificate for the following petitioner:

Commercial Redevelopment District CRD-14-80

Petitioner: Capitol Park Motor Hotel, Inc.
500 S. Capitol Avenue

Therefore Be It Resolved that the City Clerk give at least 10 days notice of a public hearing when all persons interested may attend and make any objections they may have to the approval of the certificate and

Further Resolved that the City Clerk notify the legislative body of each taxing unit which levies ad valorem property taxes in the city and

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Further Resolved that such hearing shall be held at the Council Chambers in the City Hall on August 24, 1981, at 7:00 p.m. and that notice of such hearing be published in a publication of general circulation of said city.

Adopted by the following vote:

Unanimously.

By ECONOMIC DEVELOPMENT Committee—

RESOLUTION APPROVING PROJECT AREA, ESTABLISHING PROJECT DISTRICT AREA AND CONFIRMING APPOINTMENT OF ADDITIONAL DIRECTORS TO THE BOARD OF DIRECTORS OF THE ISSUER

---

(City Fish Co. Project)

Minutes of a regular meeting of the City Council lof the City of Lansing, Michigan, held at 7:00 o'clock p.m., Michigan Time, on August 3, 1981, at which the following members were present:

Councilman Adado, Belen, Blair, Brenke, Gunther, McKane, Lindemann, Worthington;

and the following were absent:

None.

The following preamble and resolution were offered by Council Adado and supported by Councilman Blair:

Whereas, the Economic Development Corporations Act, Act No. 338 of the Michigan Public Acts of 1974, as amended (the "Act"), recognizes that there exists in the State of Michigan the need for programs to alleviate and prevent conditions of unemployment, to assist and retain local industries and commercial enterprises, to encourage and assist the location and expansion of such enterprises to provide needed services and facilities to the City of Lansing and its residents to promote the forestry and agricultural sectors of the State's economy, and to encourage the development of facilities designed to produce energy from renewable sources; and

Whereas, the Act provides a means by which these needs may be addressed; and

Whereas, Jerry M. Zimmerman, an individual, and City Fish Co., a Michigan corporation (herein collectively referred to as the "Company") have proposed a project (the "Project") to The Economic Development Corporation of the City of Lansing (the "Issuer") which would assist in the alleviation of the aforementioned conditions; and

Whereas, the Issuer, in conformity with the Act, has designated a Project Area and Project District Area for its Project to this City Council for its approval thereof.

Now, Therefore, Be It Resolved by this City Council of the City of Lansing, as follows:

1. The following Project Area, as designated by the Issuer, is hereby certified as approved:

See Exhibit "A"

2. The territory surrounding said designated Project Area will not be significontly affected by the Project and, therefore, a Project District Area having the same description as the Project Area herein certified as approved is hereby established.

3. Pursuant to Section 20(b) of the Act, a Project Citizens District Council is not required for the Project and therefore, such a Council shall not be formed.

4. This Council hereby advises and consents to the appointment by the chief executive officer of the City of Lansing of Gary Weston and George Hess as additional directors to the Board of Directors of the Issuer, pursuant to Section 4(2) of the Act, said persons being representative of neighborhood residents and business interests likely to be affected by the Project.

5. The City Clerk is hereby directed to provide three (3) certified copies of this resolution to the Secretary of the Issuer.

Yeas: Councilman Adado, Belen, Blair, Brenke, Gunther, Lindemann, McKane, Worthington—8 .

Nays: None.

Abstentions: None.

Resolution declared adopted.

STATE OF MICHIGAN )
) ss.
COUNTY OF INGHAM )

I hereby certify that the foregoing is a true and complete copy of a resolution adopted at a regular meeting of the City Council of the City of Lansing, County of Ingham, Michigan, held on the 3rd day of August, 1981, and that the said minutes are on file in the office of the City Clerk and are available to the public. Public notice of said meeting was given pursuant to and ir. compliance with Act No. 267, Public Acts of Michigan, 1976.

THEO FULTON,
City Clerk.

EXHIBIT A

LEGAL DESCRIPTION

Lots 7, 8 and 9, Block 150, of the Original Plat, City of Lansing, Ingham County, Michigan.

Adopted by the following vote:

Unanimously.

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By Committee on PUBLIC PROPERTIES AND SAFETY—

Resolved by the City Council of the City of Lansing:

ACT-28-81

Whereas, the Planning Board and the Mayor have recommended the vacation of East Street between the north line of Hazel Street to the north line of Spring Street, as well as the vacation of Spring Street from the west line of East Street to the east line of the State Highway right-of-way for I-496; and

Whereas, the right-of-way is not needed for street purposes;

Now, Therefore, Be It Resolved the Lansing City Council hereby approves the vacation of that part of East Street and Spring Street, legally described as:

Beginning on the Southeast corner of Block 222 of the Original Plat of the Town of Michigan (now the City of Lansing) as recorded June 23, 1847, Liber 7, page 598, Ingham County records; thence east to the east right-of-way line of East Street 41.25 feet more or less; thence north to the north right-of-way line of Spring Street; thence west 41.25 feet more or less to the southwest corner of Block 229; thence southwesterly along a line described on a deed made on the 14th day of April 1981 from the Michigan Department of Transportation that included all right, title, and interest which may have accrue by this vacation of Spring Street, thence east on the south right-of-way line of Spring Street to the west right-of-way line of East Street; thence south to the place of beginning.

And

Be It Further Resolved the City Council hereby approves the Planning Board's recommendation to fence this property for parking of City vehicles in conjunction with operation of the Hazel Street warehouse.

Adopted by the following vote:

Unanimoulsy.

By Committee on PUBLIC PROPERTIES AND SAFETY—

Resolved by the City Council of the City of Lansing:

Whereas, the City of Lansing has leased the West portion of Section C in the North Capitol Avenue Parking Ramp, more commonly known as 320 North Capitol Avenue, which contains approximately 2,311 square feet, to Min-A-Mart Food Stores, Inc., a Michigan Corporation with its address at 3333 Moores River Drive, Lansing, Michigan; and

Whereas, the Subject lease has expired; and

Whereas, Min-A-Mart Food Stores, Inc., has notified the City of Lansing of their desire to renew subject lease;

Now, Therefore, Be It Resolved, that the City of Lansing does hereby authorize a new lease with Min-A-Mart, as per the attached, subjected to approval as to form by the City Attorney.

Adopted by the following vote:

Unanimously.

By COUNCILMAN WORTHINGTON—

Resolved by the City Council of the City of Lansing:

ACT-30-81

Whereas, the City of Lansing has a 65' long steel pedestrian overpass which is not being used, and

Whereas, the Department of Public Service has indicated that they wish to dispose of this overpass, and

Whereas, the Planning Board has reviewed the disposition of this pedestrian overpass in accordance with ACT 285 P.A. 1931, and

Whereas, the City has required the Altman Construction Company to place a bridge over the Holmes drain at Bayview Street for pedestrian use, in accordance with City Council action on the rezoning for Hunters Ridge subdivision dated June 26, 1972, and

Whereas, the Altman Construction Company had previously installed two wooden bridges at this same location and they were vandalized to the point where they were unusable, and

Whereas, the steel pedestrian overpass may be a permanent solution to the problem of vandalism, and

Whereas, this pedestrian overpass will be erected in such a way as to allow only pedestrian access, and

Whereas, the use of this overpass by Altman Construction Company will benefit the citizens in the area, by allowing direct access for school children to woodcreek School, and day to day pedestrian traffic.

Therefore, Be It Resolved, that this pedestrian overpass be conveyed to Altman Construction Company for salvage value, (to be established) and installed as a pedestrian bridge over the Holmes drain, at Bayview Street by the Altman Construction Company at their expense.

Adopted by the following vote:

Unanimously.

By PHYSICAL DEVELOPMENT Committee—

Resolved by the City Council of the City of Lansing:

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Whereas, it has become necessary to relocate a portion of the Haze Drain Easement, and

Whereas, the construction of the new portion is completed an dapproved,

Now, Therefore, Be It Resolved, the City Council of the City of Lansing hereby abandons the following described portion of the Haze Drain Easement:

All that part of a previously described easement for the existing 24 inch storm sewer which lies within a parcel described as: Commencing on the ¼ line 677.65 feet South of the center of Section 6, thence East 127.0 feet to the West edge of Northwest Avenue, thence North along Northwest Avenue 68.00, thence West 127.0 feet to the ¼ line, thence South 68.0 feet to the point of beginning. All being in the SE ¼ Section 6, T4N, R2W, City of Lansing, Ingham County, Michigan.

Adopted by the following vote:

Unanimously.

By Committee on GENERAL SERVICES—

Resolved by the City Council of the City of Lansing:

Whereas, the Lansing Director of the Department of Building Safety and Development determined that the building located at 2001 Turner Street

Legal Description: Meets and Bounds,
Block 7
Turner and Smith Subdivision
3301-04-379-071-8
Lansing, Michigan

was an unsafe or dangerous building as defined in Section 9A-13 of the Lansing Uniform Housing Code and the Housing Law of Michigan; and

Whereas, a hearing was held by the Hearing Board on June 11, 1981, at which the hearing officers determined that said building was an unsafe or dangerous building and ordered the building demolished or otherwise made safe; and

Whereas, said officers filed a report of their findings and order with the Lansing City Council and have requested the City Council to take appropriate action under the Housing Code and the Housing Law of Michigan; and

Whereas, the City Council scheduled a hearing on July 20, 1981, to review the findings and order of the hearing officers, and the owners were notified in writing of said hearing and had an opportunity to appear and show cause why said building should not be demolished or otherwise made safe;

Now, Therefore, Be It Resolved, that the City Council of the City of Lansing hereby approves the order of the hearing officers requiring the demoltion or making safe of said building; and

Be It Further Resolved that the owners are hereby directed to comply with the order of the hearing officers to demolish or otherwise make safe the said building within twenty (20) days from the date of this resolution; and

Be It Further Resolved that should the owner fail to substantially comply with the hearing officers' order for demolition or otherwise make safe, the Director of the Department of Building Safety and Development is hereby directed to proceed with demolition of said building; and

Be It Further Resolved that the cost of such demolition shall be a lien against the real property and shall be reported to the City Assessor who shall assess the same against the property upon which the building is presently located; and

Be It Finally Resolved that the owner in whose name the property appears upon the last local tax assessment record shall be notified of the amount of such cost by first class mail at the address shown on the records. Upon his failure to pay the same within thirty (30) days after mailing by the City Assessor of the notice of the amount thereof, the Assessor shall add the same to the next tax roll of the City of Lansing and the same shall be collected in the same manner in all respects as provided by law for the collection of taxes in the City of Lansing.

Adopted by the following vote:

Unanimously.

By Committee on GENERAL SERVICES—

Resolved by the City Council of the City of Lansing:

Whereas, the Lansing Director of the Department of Building Safety and Development determined that the building located at 816 North Pennsylvania Avenue

Legal Description—816 N. Pennsylvania Avenue
Lot 9, Assessor's Plat No. 22
3301-10-376-031-2
Lansing, Michigan

was an unsafe or dangerous building as defined in Section 9A-13 of the Lansing Uniform Housing Code and the Housing Law of Michigan; and

Whereas, a hearing was held by the Hearing Board on June 11, 1981 at which the hearing officers determined that said building was an unsafe or dangerous building and ordered the building demolished or otherwise made safe; and

Whereas, said hearing officers filed a report of their findings and order with the Lansing City Council, and have requested the City Council to take appropriate action under the Housing Code and the Housing Law of Michigan; and

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Whereas, the City Council scheduled a hearing on July 20, 1981, to review the findings and order of the hearing officers, and the owners were notified in writing of said hearing and had an opportuniyt to appear and show cause why said building should not be demolished or otherwise made safe;

Now, Therefore, Be It Resolved, that the City Council of the City of Lansing hereby approves the order of the hearing officers requiring the demolition or making safe of said building; and

Be It Further Resolved that the owners are hereby directed to comply with the order of the hearing officers to demolish or otherwise make safe the said building within twenty (20) days from the date of this resolution; and

Be It Further Resolved, that should the owner fail to substantially comply with the hearing officers' order for demoltion or otherwise make safe, the Director of the Department of Building Safety and Development is hereby directed to proceed with demolition of said building; and

Be It Further Resolved, that the cost of such demolition shall be a lien against the real property and shall be reported to the City Assessor who shall assess the same against the property upon which the building is presently located, and

Be It Finally Resolved, that the owner in whose name the property appears upon the last local tax assessment record shall be notified of the amount of such cost by first class mail at the address shown on the records. Upon his failure to pay the same within thirty (30) days after mailing by the City Assessor of the notice of the amount thereof, the Assessor shall add the same to the next tax roll of the City of Lansing and the same shall be collected in the same manner in all respects as provided by law for the collection of taxes in the City of Lansing.

By Committee on GENERAL SERVICES—

Resolved by the City Council of the City of Lansing:

Whereas, the Lansing Director of the Department of Building Safety and Development determined that the building located at 525 E. Michigan Avenue

Legal Description: East 22 feet of West 277 feet of the South 94 feet of Lot 7, Block 244, Original Plat, 3301-16-278-241-0, Lansing, Michigan

was an unsafe or dangerous building as defined in Section 9A-13 of the Lansing Uniform Housing Code and the Housing Law of Michigan; and

Whereas, a hearing was held by the Hearing Board on April 16, 1981, at which the hearing officers determined that said building was an unsafe or dangerous building and ordered the building demolished or otherwise made safe; and

Whereas, said officers filed a report of their findings and order with the Lansing City Council and have requested the City Council to take appropriate action under the Housing Code and the Housing Law of Michigan; and

Whereas, the City Council scheduled a hearing on July 20, 1981, to review the findings and order of the hearing officers, and the owners were notified in writing of said hearing and had an opportunity to appear and show cause why said building should not be demolished or otherwise made safe;

Now, Therefore, Be It Resolved, that the City Council of the City of Lansing hereby approves the order of the hearing officers requiring the demolition or making safe of said building; and

Be It Further Resolved that the owners are hereby directed to comply with the order of the hearing officers to demolish or otherwise make safe the said building within twenty (20) days from the date of this resolution; and

Be It Further Resolved, that should the owner fail to substantially comply with the hearing officers' order for demoltion or otherwise make safe, the Director of the Department of Building Safety and Development is hereby directed to proceed with demoltion of said building; and

Be It Further Resolved that the cost of such demolition shall be a lien against the real property and shall be reported to the City Assessor who shall assess the same against the propety upon which the building is presently located; and

Be It Finally Resolved, that the owner in whose name the property appears upon the last local tax assessment record shall be notified of the amount of such cost by first class mail at the address shown on the records. Upon his failure to pay the same within thirty (30) days after mailing by the City Assessor of the notice of the amount thereof, the Assessor shall add the same to the next tax roll of the City of Lansing and the same shall be collected in the same manner in all respects as provided by law for the collection of taxes in the City of Lansing.

Adopted by the following vote:

Unanimously.

By Committee on GENERAL SERVICES—

Resolved by the City Council of the City of Lansing:

Whereas, the Lansing Director of the Department of Building Safety and Development determined that the building located at 1705 Martin Street

Legally Described as: 1705 Martin Street
3301-21-452-003-8
Lot 16, Orchard Home Ad d.
Lansing, Michigan

was an unsafe or dangerous building as

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defined in Section 9A-13 of the Lansing Uniform Housing Code and the Housing Law of Michigan; and

Whereas, a hearing was held by the Hearing Board on April 16, 1981, at which the hearing officers determined that said building was an unsafe or dangerous building and ordered the building demolished or otherwise made safe; and

Whereas, said hearing officers filed a report of their findings and order with the Lansing City Council and have requested the City Council to take appropriate action under the Housing Code and the Housing Law of Michigan; and

Whereas, the City Council scheduled a hearing on July 13, 1981 to review the findings and order of the hearing officers, and the owners were notified in writing of said hearing and had an opportunity to appear and show cause why said building should not be demolished or otherwise made safe;

Now, Therefore, Be It Resolved, that the City Council of the City of Lansing hereby approves the order of the hearing officers requiring the demolition or making safe of said building; and

Be It Further Resolved, that the owners are hereby directed to comply with the order of the hearing officers to demolish or otherwise make safe the said building within twenty (20) days from the date of this resolution; and

Be It Further Resolved, that should the owner fail to substantially comply with the hearing officers' order for demolition or otherwise make safe, the Director of the Department of Building Safety and Development is hereby directed to proceed with demolition of said building; and

Be It Further Resolved, that the cost of such demolition shall be a lien against the real property and shall be reported to the City Assessor who shall assess the same against the property upon which the building is presently located; and

Be It Finally Resolved, that the owner in whose name the property appears upon the last local tax assessment record shall be notified of the amount of such cost by first class mail at the address shown on the records. Upon his failure to pay the same within thirty (30) days after mailing by the City Assessor of the notice of the amount thereof, the Assessor shall add the same to the next tax roll of the City of Lansing and the same shall be collected in the same manner in all respects as provided by law for the collection of taxes in the City of Lansing.

Adopted by the following vote:

Unanimously.

By Committee on GENERAL SERVICES—

Resolved by the City Council of the City of Lansing:

Whereas, the Lansing Director of the Department of Safety and Development determined that the building located at 1000 Shepard Street

Legally Described as: 1000 Shepard St.
3301-22-226-111-2
Lot 263, City Park Subdivision
Lansing, Michigan

was an unsafe or dangerous building as defined in Section 9A-13 of the Lansing Uniform Housing Code and the Housing Law of Michigan; and

Whereas, a hearing was held by the Hearing Boar don February 14, 1979, at which the hearing officers determined that said building was an unsafe or dangerous building an dordered the building demolished or otherwise made safe; and

Whereas, said officers filed a report of their findings and order with the Lansing City Council and have requested the City Council to take appropriate action under the Housing Code and the Housing Law of Michigan; and

Whereas, the City Council scheduled a hearing on July 13, 1981, to review the findings and order of the hearing officers, and the owners were notified in writing of said hearing and had an opportunity to appear and show cause why said building should not be demolihsed or otherwise made safe;

Now, Therefore, Be It Resolved that the City Council of the City of Lansing hereby approves the order of the hearing officers requiring the demolition or making safe of said building; and

Be It Further Resolved that the owners are hereby directed to comply with the order of the hearing officers to demolish orotherwise make safe the said building within sixty (60) days from the date of this resolution; and

Be It Further Resolved that should the owner fail to substantially comply with the hearing officers' order for demolition or otherwise make safe, the Director of the Department of Building Safety and Development is hereby directed to proceed with demolition of said building; and

Be It Further Resolved that the cost of such demolition shall be a lien against the real property and shall be reported to the City Assessor who shall assess the same against the property upon which the building is presently located; and

Be It Finally Resolved that the owner in whose name the property appears upon the last local tax assessment record shall be notified of the amount of such cost by first class mail at the address shown on the records. Upon his failure to pay the same within thirty (30) days after mailing by the City Assessor of the notice of the amount thereof, the Assessor shall add the same to the next tax roll of the City of Lansing and he same shall be collected in th same manner in all respects as provided by law for the collection of taxes in the City of Lansing.

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Adopted by the following vote:

Unanimously.

By Committee on GENERAL SERVICES—

Resolved by the City Council of the City of Lansing:

That the request from the Lansing Federation of Musicians for a new Dance Permit, 2703 N. Turner Street is hereby approved.

Adopted by the following vote:

Unanimously.

Councilman Lindemann left the session.

By Committee on WAYS AND MEANS—

Resolved by the City Council of the City of Lansing:

Whereas, the City Council is concerned about reports of security and cleanliness problems at the North Capitol Parking Ramp; and

Whereas, the City of Lansing is committed to resolving these problems; and

Whereas, the Administration has reported to the City Council on steps that had already been taken to deal with the problems of cleanliness and vandalism; and

Whereas, these steps had been implemented with the recently begun new fiscal year; and

Whereas, these steps appear to be adequate to resolve those problems; and

Whereas, the Administration has committed to expand Lansing Police Department's surveillance of the ramps; and

Whereas, the City Attorney has now authorized immediate arrest of loiterers in the ramps without first requiring verbal warning; and

Whereas, the sole remaining issue is that of additional security;

Now, Therefore, Be It Resolved, the Lansing City Council hereby requests that security in the ramps be substantially increased through use of Lansing Police Department forces and use of priavte security; and

Be It Further Resolved the use of outside private security is hereby approved for a trial period so that the Ad Hoc Parking Committee has an opportunity to determine a permanent policy solution; and

Be It Finally Resolved a transfer of funds in the amount of $10,000 (ten thousand dollars) shall be prepared for Council approval to fund the temporary hiring of private security guards, who shall be competent to perform security tasks under direction of the Lansing Police Department and the Traffic and Transportation Division.

Adopted by the following vote:

Unanimously.

Councilman Lindemann returned to the session.

By Committee of THE WHOLE—

Resolved by the City Council of the City of Lansing:

Whereas, the Mayor has forwarded with his concurrence a recommendation from the Lansing Traffic Board proposing the removal of the traffic signal at Cedar and Riley Streets after allowing it to flash for 90 days; and

Whereas, members of the Council have serious concerns relevant to the wisdom of this recommendation;

Now, Therefore, Be It Resolved the City Council of the City of Lansing does not concur with the recommendation of the Traffic Board; and

Be It Further Resolved the Traffic signal at the corner of Cedar and Riley Streets shall remain in operation until such time as the Committee on Public Properties and Safety makes its formal recommendation to the Council; and

Be It Finally Resolved that the Council strongly recommends to the Public Properties and Safety Committee that the traffic light at Riley and Cedar remain in operation.

Adopted by the following vote:

Unanimously.

By Committee of THE WHOLE—

Resolved by the City Council of the City of Lansing:

Whereas, on February 23, 1981, the Lansing City Council approved an application from Oldsmobile Division of General Motors Corporation for an exemption certificate in Lansing Industrial Development District IPR-8-80 for a period of twelve years; and

Whereas, the affected taxing units will stand to lose these approximate sums over a twelve year period if Oldsmobile Division of General Motors Corporation is not awarded an exemption certificate and does not proceed with the project:

| | |
|---|---|
| Lansing Community College | $ 1,025,000 |
| Ingham County | $ 4,036,000 |
| City of Lansing | $ 4,300,000 |

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Lansing School District $12.900.000

and

Whereas, the Oldsmobile project, if granted an exemption certificate will result in the retention of approximately 3,000 jobs; and

Whereas, the Lansing City Council believes it will be in the best interest of the City of Lansing, the other affected taxing units and the citizens of this community for Oldsmobile Division of General Motors Corporation to be granted an exemption certificate;

Now, Therefore, Be It Resolved that this resolution be transmitted to the State Treasurer and the Ingham County Commissioners along with a strong letter of explanation, and a request to the Commisssion to reconsider their previous action.

Adopted by the following vote:

Unanimously.

By COUNCILMAN ADADO—

That a copy of this resolution be sent to the State Treasurer and the County Commissioners by the President of the Council.

Carried.

By WAYS AND MEANS Committee—

Resolved by the City Council of the City of Lansing:

Fiscal Year 1981-82

That the following transfer be approved:

$1,500.00 from Custodial Services — Garage No. 1 — 127 S. Grand
A/C 585-571-451-813

1,500.00 from Custodial Services — Garage No. 2 — 320 S. Capitol Ave.
A/C 585-571-452-813

3,000.00 from Custodial Services — Garage No. 3 — 219 N. Grand Ave.
A/C 585-571-453-813

4,000.00 from Custodial Services — Garage No. 4 — 300 N. Capitol Ave.
A/C 585-571-454-813

$1,500.00 to Professional Services — Garage No. 1 — 127 S. Grand
A/C 585-571-451-801

1,500.00 to Professional Services — Garage No. 2 — 320 S. Capitol Ave.
A/C 585-571-452-801

3,000.00 to Professional Services — Garage No. 3 — 219 N. Grand Ave.
A/C 585-571-453-801

4,000.00 to Professional Services — Garage No. 4 — 300 N. Capitol Ave.
A/C 585-571-454-801

I hereby certify that this is a properly drawn an deligible transfer.

JAMES W. DOWSETT,
Finance Director.

Approved:

TERRY J. McKANE,
WILLIAM A. BRENKE,
JACK D. GUNTHER,
Ways and Means Committee.

By COUNCILMAN McKANE—

That the resolution be amended as follows:

That the following be deleted:

$1,500.00 to Professional Services — Garage No. 1 — 127 S. Grand
A/C 585-571-451-801

1,500.00 to Professional Services — Garage No. 2 — 320 S. Capitol Ave.
A/C 585-571-452-801

3,000.00 to Professional Services — Garage No. 3 — 219 N. Grand Ave.
A/C 585-571-453-801

4,000.00 to Professional Services — Garage No. 4 — 300 N. Capitol Ave.
A/C 585-571-454-801

and that the following be inserted:

$10,000.00 to Professional Services — Administration
A/C 585-536-001-801

Carried.

The resolution as amended was adopted by the following vote:

Unanimously.

## INTRODUCTION OF ORDINANCE(S)

The following ordinance(s) of the City of Lansing, Michigan providing that the Code of Ordinances be amended by:

Repealing of Sections 35-1 through 35-54 of Chapter 35 of the Code of Ordinances and declaring same to be null and void and of no effect.

Amending Section 59 of Chapter 27 of the Code of Ordinances for the purpose of correcting the amount of the surety bond required.

was introduced by Councilman Brenke, read a first and second time by their title(s) and referred to the Committee on General Services.

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## ORDINANCES

By COUNCILMAN WORTHINGTON—

The Committee reported that it had considered an ordinance providing, that the Code of Ordinnaces, City of Lansing, Michigan, be amended by:

a. by adding a new section to Chapter 36, Article XIV numbered 36-99.1E to provide for an amendment to the amended Physical Development Plan for NDA No. 1 for the acquisition of property at 1404 West Kalamazoo St.

b. Repealing of Sections 35-1 through 35-54 of Chapter 35 of the Code of Ordinances and declaring same to be null and void and of no effect.

c. Amending Section 59 of Chapter 27 of the Code of Ordinances for the purpose of correcting the amount of the surety bond required.

and recommended that the ordinances be passed.

Carried.

## ORDINANCE NO. 604

By COUNCILMAN WORTHINGTON—

Resolved by the City Council of the City of Lansing, that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by adding a new section to Chapter 36, Article XIV of the Code of Ordinances numbered 36-99.1E to provide for an amendment to the amended Physical Development Plan for NDA No 1 for the acquisition of property at 1404 West Kalamazoo St, be placed on order of immediate passage.

By COUNCILMAN WORHTINGTON—

Resolved by the City Council of the City of Lansing, that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by adding a new section to Chapter 36, Article XIV of the Code of Ordinances numbered 36-99.1E to provide for an amendment to the amended Phyiscal Development Plan for NDA No. 1 for the acquisition of property at 1404 West Kalamazoo St. be now passed.

Adopted by the following vote:

Unanimously.

## ORDINANCE NO. 604

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, PROVIDING THAT CHAPTER 36, ARTICLE XIV OF THE CODE OF ORDINANCES, CITY OF LANSING, MICHIGAN BE AMENDED BY ADDING A NEW SECTION TO BE NUMBERED 36-99.1E TO PROVIDE FOR AN AMENDMENT TO THE AMENDED PHYSICAL DEVELOPMENT PLAN FOR NEIGHBORHOOD DEVELOPMENT AREA NO. 1 WITHIN THE CITY OF LANSING.

The City of Lansing Ordains:

Section 1. That Chapter 36, Article XIV of the City of Lansing, Michigan be amended by adding a new section to be numbered 36-99.1E to read as follows:

Sec. 36-99.1E. **Amendment to the Plan Established.**

The Physical Development Plan referred to in Sections 36-99.1 through 36-99.6 is hereby modified by incorporating the following pursuant to Section 36-99.6.

The **inclusion** of one structure in the acquisition program under the section "Physical Condition." The structure is located at 1404 West Kalamazoo Street.

The **deletion** of this structure from the Housing Rehabilitation section and the modification of maps to reflect the changes detailed above.

Section 2. All ordinances or ports of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance shall take effect thirty (30) days from its passage unless given immediate effect by the City Council.

## ORDINANCE NO. 605

By COUNCILMAN BRENKE—

Resolved by the City Council of the City of Lansing, that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by repealing of Sections 35-1 through 35-54 of Chapter 35 of the Code of Ordinances, City of Lansing, Michigan, and declaring same to be null and void and of no effect, be placed on order of immediaate passage.

By COUNCILMAN BRENKE—

Resolved by the City Council of the City of Lansing, that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by repealing of Section 35-1 through 35-54 of Chapter 35 of the Code of Ordinances, City of Lansing, Michigan, and declaring same to be null and void and of no effect, be now passed.

Adopted by the following vote:

Unanimously.

## ORDINANCE NO. 605

## CHAPTER 35

## LANSING WEIGHTS AND MEASURES ORDINANCE

AN ORDINANCE OF THE CITY OF

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LANSING, MICHIGAN, PROVIDING FOR REPEAL OF SECTIONS 35-1 THROUGH 35-54 OF CHAPTER 35 OF CODE OF ORDINANCES, CITY OF LANSING, MICHIGAN AND DECLARING SAME TO BE NULL AND VOID AND OF NO EFFECT.

The City of Lansing Ordains:

That Section 35-1 through 35-54 of Chapter 35 of Code of Ordinances, City of Lansing, Michigan, are hereby repealed and declared null and void and of no effect.

**ORDINANCE NO. 606**

By COUNCILMAN BRENKE—

Resolved by the City Council of the City of Lansing, that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by providing for the amendment of Section 59 of Chapter 27 of the Code of Ordinances for the purpose of correcting the amount of the Surety Bond required within the Sewer Cleaners ordinance, be placed on order of immediate passage.

By COUNCILMAN BRENKE—

Resolved by the City Council of the City of Lansing, that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan be amended by providing for the amendment of Section 59 of Chapter 27 of the Code of Ordinances for the purpose of correcting the amount of the Surety Bond required within the Sewer Cleaners ordinance, be now passed.

Adopted by the following ovte:

Unanimously.

**ORDINANCE NO. 606**

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, PROVIDING FOR THE AMENDMENT OF SECTION 59 OF CHAPTER 27 OF THE CODE OF ORDINANCES FOR THE PURPOSE OF CORRECTING THE AMOUNT OF THE SURETY BOND REQUIRED.

The City of Lansing Ordains:

Section 1. That Subsection 59B(2)(A) of the Code of Ordinances of Lansing, Michigan, is hereby revised to read as follows:

Sec. 59B(2)(A) A surety bond, issued by a corporate bonding company authorized to do business in the state, in the penal sum of Ten Thousand Dollars ($10,000.00), conditioned upon the licensee's faithful compliance with the laws and ordinances of the city governing sewer cleaners. Such bond shall bear an endorsement to the effect that the corporate company shall notify the City Clerk a minimum of twenty (20) days prior to the cancellation of or expiration of such surety bond.

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance shall take effect thirty (30) days from its passage unless given immediate effect by the City Council.

**REMARKS BY THE EXECUTIVE ASSISTANT:**

Robert Black commented that the Board of Police Commissioners had elected Russell Lawler as the Chairman of the Board and Mr. McConnell as Vice-Chairman.

**REMARKS BY THE CITY COUNCIL:**

By COUNCILMAN GUNTHER—

Resolved by the City Council of the City of Lansing:

That the rules of the Council be waived for the purpose of presenting items that are not listed on the agenda.

Carried.

Letter from James Hart of 753 Princeton Ave. in regard to parking tickets he is receiving from the Police Dept. due to parking on state right-of-way.

Referred to Mayor, Committee on Public Properties and Safety.

Letters received in regard to traffic light at Cedar and Riley Streets and ask that it be allowed to remain at this location from:

R. T. Allen, D.C.

E. L. "Ed" Shultz of Ed's Distributing.

Referred to Committee on Public Property and Safety.

By WAYS AND MEANS Committee—

Resolved by the City Council of the City of Lansing:

Fiscal Year 1981-82

That the following transfer be approved:

$2,500.00 from Reserve for Contingency
A/C 101-941-000-963

$2,500.00 to Special Events — Parks and Recreation Dept.
A/C 101-692-000-883

I hereby certify that this is a properly drawn and eligible transfer.

JAMES W. DOWSETT,
Finance Director.

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Approved:

TERRY J. McKANE,
WILLIAM A. BRENKE,
JACK D. GUNTHER,
Ways and Means Committee.

Adopted by the following vote:

Unanimously.

DATE: 8/3/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Police Department. Re: Traffic light at Riley and Cedar Streets.

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Public Property and Safety.

The following persons spoke.

Merle Lemon spoke.

Craig McCauly, 2804 Wabash Rd., spoke relative stop signs at Wabash Rd. and Leawood Dr.

Jackie Pennell of 916 Raider St. spoke.

Letter read from Wm. Long, Director, Dept. of Labor, relative to parking ramps.

Neil Gaudard of 916 Raider spoke again.

By COUNCILMAN BELEN—

That this meeting stand adjourned.

Carried.

Council adjourned at 8:30 P.M.

THEO FULTON,
City Clerk.

Lansing, Michigan
August 3, 1981

F/B

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CITY CLERK'S OFFICE
Room 921, City Hall
Lansing, Michigan 48933

Address Correction Requested

BULK RATE
U. S. POSTAGE
PAID
Permit No. 1461
Lansing, Michigan



# OFFICIAL PROCEEDINGS OF
# THE CITY COUNCIL
## OF THE CITY OF LANSING

## Proceedings, August 10, 1981

CITY COUNCIL ROOMS

Lansing, Michigan

August 10, 1981

The City Council of the City of Lansing, Michigan, met in regular session and was called to order by President Belen.

Present: Councilmen Adado, Belen, Blair, Brenke, Gunther, Lindemann, McKane, Worthington—8.

Absent: None.

The Clerk announced that a quorum of the Council was present.

Invocation was given by Councilman Worthington.

Pledge of Allegiance was led by Tracey and Bethaney Onufer.

By COUNCILMAN McKANE—

That the council proceedings of July 13, and 20, 1981 be approved.

Carried.

HEARING ON PROPOSED CHANGES IN ZONING CLASSIFICATIONS

August 10, 1981, at 7:00 o'clock being the time set as the time for holding a hearing on the proposed changes in the Classifications as provided for in the Zoning Code which was passed by the City Council on November 13, 1958, said proposed amendment being as follows:

That the property described as:

Z-17-81 — 1226 West Mt. Hope Ave.,

be rezoned from "B" One Family Residential District to "D-1" Professional Office District.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed amendment(s) to the Classifications provided for in the Zoning Code he had the privilege of speaking at this time.

No objections were made to the proposed amendment(s).

Referred to Committee on Physical Development.

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August 10, 1981, at 7:00 o'clock being the time set as the time for holding a hearing on the proposed changes in the Classifications as provided for in the Zoning Code which was passed by the City Council on November 13, 1958, said proposed amendment being as follows:

That the property described as:

Z-18-81 — 1224 East Miller Rd.,

be rezoned from "A" One Family Residential District to "DM-1" Multiple Family Dwelling District.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed amendment(s) to the Classifications provided for in the Zoning Code he had the privilege of speaking at this time.

No objections were made to the proposed amendment(s).

Referred to Committee on Physical Development.

August 10, 1981, at 7:00 o'clock being the time set as the time for holding a hearing on the proposed changes in the Classifications as provided for in the Zoning Code which was passed by the City Council on November 13, 1958, said proopsed amendment being as follows:

That the property described as:

Z-19-81 — 4903 N. Grand River Ave.,

be rezoned from "E-2" Drive In Shop, "C" Two Family Residential Districts to "F" Commercial District.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed amendment(s) to the Classifications provided for in the Zoning Code he had the privilege of speaking at this time.

Referred to Committee on Physical Development.

August 10, 1981, at 7:00 o'clock being the time set as the time for holding a hearing on the proposed changes in the Classifications as provided for in the Zoning Code which was passed by the City Council on November 13, 1958, said proposed amendment being as follows:

That the property described as:

Z-20-81 — 6327 Grovenburg Rd.,

be rezoned from "A" One Family Reisdential District to "C" Two Family Residential District.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed amendment(s) to the Classifications provided for in the Zoning Code he had the privilege of speaking at this time.

Margaret Balowski, 2131 Edgewood Blvd., spoke.

Referred to Committee on Physical Development.

**THE PUBLIC MAY NOW ADDRESS THE CITY COUNCIL ON ANY OF THE FOLLOWING ITEMS LISTED ON THE AGENDA. COMMUNICATIONS AND PETITIONS, COMMITTEE REPORTS, REPORTS OF CITY OFFICERS AND BOARDS, AND RESOLUTIONS. YOU MAY SPEAK ONLY FOR 3 MINUTES ON ANY ONE ITEM.**

Resolution 3d was removed from the agenda.

The ACORN Group spoke in regard to the cleaning of the area of riverfront at the end of Roosevelt, Knollwood and Lansing Avenues:

Beverly Howlett — 1708 Lansing Ave.

Resident — 1415 Lansing Ave.

Frank Simmons — 1545 Knollwood St.

Fred Cady — 1363 Roosevelt St.

David Kirchoff — 1533 Roosevelt St.

Mary McGowen — 1631 Roosevelt St.

Referred to Mayor's Office.

## COMMUNICATIONS AND PETITIONS

The following applications and bonds filed for licenses:

SECONDHAND DEALER —
Dennis Payne.

Referred to Committee on General Services.

Letter of thanks from the Lansing Community College for donation they received for their Photography Program.

Received and placed on file.

Summons filed in Circuit Court by Ardena L. Walsh to [illegible] ive certain information pursuant to the freedom of information act.

Referred to Mayor and City Attorney.

Claims filed by:

Richard Charles Warren for damage done to his automobile due to falling limb.

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Loney Gordon for damages and injuries sustained due to fall on uneven sidewalk.

Referred to Mayor, City Attorney.

Beneicke & Krue submits final plat of four Seasons.

Referred to Mayor, Planning Board.

Request from Cristo Rey Church for permission to hang a banner across S. Washington Avenue just north of Mel St. from August 18 to 30, 1981 in connection with the annual Fiesta "81."

Referred to Mayor.

Request from Potter Park United Methodist Church to have the 1400 block of Gray St. blocked off on August 20, 1981 from 7 to 9 p.m. for a folk dance.

Referred to Mayor.

Letter from the ACORN Group in regard to requesting time on the City Council's agenda in regard to cleaning up an area of the riverfront which is at the end of Roosevelt, Knollwood and Lansing Streets.

Referred to Mayor.

Application for Commercial Facilities Exemption Certificate for Triad Investment Firm at 1408 and 1414 E. Michigan Avenue.

Referred to Mayor, Economic Development Corporation, Committee on Economic Development.

Letter from Citizen/Labor energy coalition in regard to Natural Gas Decontrol.

Referred to the Committee of the Whole.

Department of Natural Resources submits applications for flood plain permits for:

John H. Cooley.

Impression "5" Museum.

Received and placed on file.

**MAYOR'S EXECUTIVE ASSISTANT COMMENTS ON ANY ITEM ON THE AGENDA:**

No comment.

**REPORTS OF COMMITTEES**

The Committee on GENERAL SERVICES approves the following applications and bonds for licenses:

SECONDHAND DEALER —
Dennis Payne.

Signed:

WILLIAM A. BRENKE,
PAT LINDEMANN,
TERRY J. McKANE,
Committee on General Services.

By COUNCILMAN BRENKE—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

Report from Committee on PUBLIC PROPERTIES & SAFETY relative denying request to reverse stop signs at Ingham St. and Reo Rd.

By COUNCILMAN ADADO—

That this be referred back to the Committee for further study.

Carried.

The Committee on WAYS AND MEANS, to whom was referred the bid recommendation for S-81-532 Sale of Properties, reports as follows:

It is recommended that the sole offer tendered for the purchase from the City, of Lot No. 11, Marywood Subdivision be accepted to enable this property to benefit the neighboring resident and be put on the property tax rolls. The offer of $4,000 cash is recommended to be accepted because, though the Lot is assessed at $5,400, economic conditions and the lot's 50' width preclude larger reimbursement. It is also recommended that Lot No. 36, Marywood Subdivision, be let to a realtor for sale. Further, per the Charter, it is recommended that an affirmative vote of two-thirds of the Council members approve the sale of City interest in these two properties.

Signed:

TERRY J. McKANE,
JACK D. GUNTHER,
WILLIAM A. BRENKE,
Committee on Ways and Means.

By COUNCILMAN McKANE—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

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The Committee on WAYS AND MEANS, to whom was referred the bid recommendation of Bid No. B-81-543 Microfilm Reader/Printer for Administrative Services—Microfilm Division—Item E, reports as follows:

It is recommended that, in order to utilize City resources in the most effective available manner, the Bell and Howell bid of $2,288.95 be accepted for the Microfilm Division Reader/Printer. The Bell and Howell, over the course of Microfilming operations, will utilize $231.05 less in City funds than the lowest responsive bidder. This is because the Bell and Howell bid includes $365.00 of Microfilming supplies upon purchase.

Signed:

TERRY J. McKANE,
JACK D. GUNTHER,
WILLIAM A. BRENKE,
Committee on Ways and Means.

By COUNCILMAN McKANE—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

## REPORTS OF CITY OFFICERS AND BOARDS

August 5, 1981

President Lucile Belen and
Members of City Council

Re: Special assessment of $305.00 on property located at 713 W. Lapeer Street

Dear President Belen and
Members of City Council:

On May 11, 1981, Arthur Day filed a protest with the City concerning the validity of a special assessment of $305.50 placed upon property located at 713 W. Lapeer Street.

Research performed by this office indicates that on September 15, 1980 the Building Department sent Mr. Day a violation notice regarding trash, junk and branches located at the rear and side of the house situated at 713 W. Lapeer Street. The violation notice provided Mr. Day with a grace period of three (3) days to correct the identified violations. Reinspection by the City Building Department after the three (3) day period had elapsed revealed that the identified violations had not been corrected. On September 22, 1980 Mr. Steve Zelski of the City Building Department requested a contractor to clean up the violations located at 713 W. Lapeer Street. The contractor performed the requested service on September 26, 1980 and submitted a bill for $85.50 to the City Building Department. Pursuant to Section 21-13 of the Lansing Code of Ordinances, the cost of $85.50 plus the City minimum service charge of $110.00 for a total of $195.50 was assessed against the property located at 713 W. Lapeer Street after having been approved by City Council in December, 1980.

On August 29, 1980 Mr. Day was mailed a violation notice by the City Public Service Department because of branches and loose trash which existed between the curb and sidewalk located in front of 713 W. Lapeer Street. The Public Service Department indicated that Mr. Day had until September 8, 1980 to correct the violations identified in the violation notice. Re-examination by Mr. Dexter of the Public Service Department revealed that the violations still existed. Clean up of the violations by the Public Service Department occurred at a cost of $32.19 within the week following September 8, 1980 and the minimum service charge of $110.00 was specially assessed against the property located at 713 W. Lapeer Street after having been approved by Council on October 6, 1980.

The total of the two (2) special assessments placed upon the property located at 713 W. Lapeer Street is $305.50. Written documents existing in both the Public Service Department and the Building Department files substantiate the work which was performed by both the contractor and the Public Service Department in order to remedy the violations found at 713 W. Lapeer Street. Since the Building Department elected to abate the nuisance pursuant to the power granted to it under Sections 21-12 and 21-13 of the Lansing Code of Ordinances, Section 9A11-(D) and Section 9A-13E(1) through (6) which deal with the boarding up and demolition of unsafe and substandard buildings are inapplicable.

Therefore, it is the conclusion of this office that proper procedures were followed by both the Building Department and the Public Service Department under Sections 21-12 and 21-13 of the Lansing Code of Ordinances and the two (2) special assessments totalling $305.50 are valid.

Respectfully submitted,

STEPHEN R. SAWYER,
City Attorney.

By CHRIS BERGSTROM,
Assistant City Attorney.

By COUNCILMAN ADADO—

That we concur in the recommendation of the City Attorney.

Carried.

August 5, 1981

President Lucile Belen and
Members of City Council

Re: Claim of Pauline Bates in the amount of $100.00

Dear President Belen and
Members of City Council:

On March 5, 1981, claimant alleged that she sustained damage to the vehicle she was

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driving on Aurelius Road as a result of a chunk of asphalt falling from a road maintenance truck and striking the left fender and windshield of her automobile. Claimant submitted estimates for repair to the body and windshield of her vehicle which exceed $100.00, however, claimant's automobile is insured with a $100 deductible amount.

Under Michigan No Fault Law, MCLA 500.3121, generally property protection insurance benefits are due from the claimant's insurance company without regard to fault. However, pursuant to MCLA 500.-3135(d) tort liability does exist for "(d) damages up to $400 to motor vehicles to the extent that the damages are not covered by insurance."

Investigation of the Public Service Department reveals that Miss Bates called that office and reported the incident indicating that the maintenance truck was an orange colored truck but that she did not have a truck or license number. Due to the lack of identification, the Public Service Department had no way of verifying the claim. A search of the Public Service records reveals no construction and/or repair having been performed in that area on or about that date which decreases the likelihood that the truck in question was a City vehicle. In addition, State and County maintenance trucks are also orange in color. Also, Public Service indicates that many of the City trucks have been auctioned to private owners.

While Section 31-158 of the Lansing Code or Ordinances provides:

> "No vehicle shall be driven or moved on any street unless such vehicle is so constructed, loaded, or covered as to prevent its contents for shifting, leaking or otherwise escaping therefrom",

there does not appear to be a sufficient basis to establish liability here as the claimant admits that she is unable to positively identify the truck in question as being a Lansing Public Service vehicle. Therefore, it is the opinion of this office that the claim should be denied.

Respectfully submitted,

STEPHEN R. SAWYER,
City Attorney.

By CHRIS BERGSTROM,
Assistant City Attorney.

By COUNCILMAN ADADO—

That we concur in the recommendation of the City Attorney and said claim be denied.

Carried.

August 6, 1981

President Lucile Belen and
Members of City Council

R: Claim of Janet Robinson for an unspecified amount.

Dear President Belen and
Members of City Council:

The above mentioned claim has been referred to our office for investigation and recommendation. The claimant alleged that on February 16, 1981, while traveling on Washington Road, her vehicle struck a chuckhole on Washington Road approaching Willoughby Road. The claimant submitted a statement that her tire, damaged as a result of the incident, was not repairable by Discount Tires.

Mr. Howard McCaffery, Director of the Public Service Department, informed this office that his Department received a call from the Police Department at 7:10 p.m. on February 16, 1981 advising of a bad pothole on South Washington in the vicinity of I-96. A barricade and light was placed over the hole which was repaired the following morning. MCLA 691.1402; MSA 3.996(102) provides in part:

> "Each governmental agency having jurisdiction over any highway shall maintain that highway in reasonable repair so that it is reasonably safe and convenient for public travel. Any persons sustaining bodily injury or damage to his property by reason of failure of any governmental agency to keep any highway under its jurisdiction in reasonable repair and in a condiiton reasonably safe and fit for travel, may recover the damage suffered by him from such governmental agency."

MCLA 691.1403; MSA 3.996(103) further provides in part:

> "No governmental agency is liable for injuries or damages caused by defective highways unless the governmental agency knew, or in the exercise of reasonable diligence, should have known, of the existence of the defect and had a reasonable time to repair the defect before the injury took place."

Based upon the information supplied to this office, it appears that the City did not have prior notice of the defect in the street prior to the date and time of the alleged incident. Further, there was no allegation or evidence of lack of reasonable diligence in discovery and repair of the defect. Therefor, based upon the foregoing statutory provisions, it is the recommendation of this office that the claim be denied.

Respectfully submitted,

STEPHEN R. SAWYER,
City Attorney.

By CHRIS BERGSTROM,
Assistant City Attorney.

By COUNCILMAN ADADO—

That we concur in the recommendation of the City Attorney and said claim be denied.

Carried.

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August 5, 1981

President Lucile Belen and
Members of City Council

Re: Claim of Craig A. Hatcher in the amount of $176.00

Dear President Belen and
Members of City Council:

Claimant alleged that on February 16, 1981 while traveling eastbound on Main Street, he struck a large pothole which caused damage to both right tires on his vehicle. The claimant submitted a bill of sale for two tires in the amount of $170 and a receipt for wrecker service in the amount of $6.00.

Mr. Howard G. McCaffery, Director of the Public Service Department, informed this office that his Department was notified at approximately 9:00 o'clock p.m., February 16, 1981, of the existence of potholes on East Main Street in front of Martin Block Company and that several cars had struck the potholes. Two barricades were placed over the holes that evening and the holes were repaired the following day. He indicated that his Department had no previous knowledge of the situation.

MCLA 691.1402; MSA 3.996(102) provides in part:

> "Each governmental agency having jurisdiction over any highway shall maintain that highway in reasonable repair so that it is reasonably safe and convenient for public travel. Any persons sustaining bodily injury or damage to his property by reason of failure of any governmental agency to keep any highway under its jurisdiction in reasonable repair and in a condition reasonably safe and fit for travel, may recover the damage suffered by him from such governmental agency."

However, MCLA 691.1403; MSA 3.996-(103) further provides in part:

> "No governmental agency is liable for injuries or damages caused by defective highways unless the governmental agency knew, or in the exercise of reasonable diligence should have known, of the existence of the defect and had a reasonable time to repair the defect before the injury took place."

Based on information supplied to this office, it appears to this office that the City had no prior notice of the defect in the street on the date and time of the alleged incident, and further, there is no allegation or evidence of lack of reasonable diligence in the discovery and repair of the potholes. Therefore, based upon the foregoing statutory provisions, it is the recommendation of this office that the claim be denied.

Respectfully submitted,

STEPHEN R. SAWYER,
City Attorney.

By CHRIS BERGSTROM,
Assistant City Attorney.

By COUNCILMAN ADADO—

That we concur in the recommendation of the City Attorney and said claim be denied.

Carried.

August 6, 1981

Honorable Council President Lucile Belen
and Members of the Lansing City Council

10th Floor, City Hall

Lansing, Michigan 48933

Re: Claim of James K. Magnotta in the amount of $210.00

Dear President Belen and
Members of Council:

On June 5, 1981, while James Magnotta was at the Granger Landfill, a hydraulic line on a City garbage truck broke and Mr. Magnotta, and an employee of Mr. Magnotta's in the vehicle which Mr. Magnotta had driven to the Granger Landfill with were sprayed with hydraulic oil. Mr. Magnotta has submitted a statement of damages totaling $210.00. The motor vehicle which Mr. Magnotta drove to the Granger Landfill was insured by Auto Owners and carried a $250.00 deductible.

Investigation by the Public Service Department reveals that on April 24, 1981, the hydraulic lines in the City garbage truck involved in this incident had been inspected as a part of routine maintenance. Further, on May 7, 1981, the City garbage truck involved in this incident underwent an extensive inspection because of a required 20,000 miles City vehicle maintenance check-up. The results of both inspections did not reveal that the hydraulic oil line was damaged or defective so as to require any replacement or repair prior to the date of the incident.

Although generally, a municipality is immune from tort liability, the Michigan Legislature has provided that a municipality can be held liable for bodily injury and property damage resulting from the negligent operation of a motor vehicle of which the municipality is the owner.

However, the Michigan No Fault Law, MCLA 500.3135 provides that an owner of a motor vehicle is not subject to tort liability for property damage arising from the ownership use or maintenance of a motor vehicle except for damages up to $400.00 to motor vehicles to the extent that the damages ae not covered by insurance, intentionally cause ddamages to persons or property or if an injured person has suffered death, serious impairment of bodily function or permanent serious disfigurement.

Examinaiton of Mr. Magnotta's claim reveals that the damages claimed consists of loss of time, reimbursement for the expense of a car wash and damaged clothing. None of the above claimed damages fall within the above enumerated exceptions to the gen-

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eral rule of nonliability, except the cost of the car wash would fall within the $400.00 tort liability damage to the vehicle providing negligence exists on the part of the City. The mere fact that an accident or injury occurs, however, does not establish negligence. Rose v McMahon, 10 Mich App 104; 158 NW2d 791 (1968). In this particular situation, the City mechanics inspected the vehicle twice within approximately one month before the date of the incident and no defect was observed in the hydraulic lines.

Thus, it is the opinion of this office that the claim of Mr. Magnotta for $210.00 as a result of a burst hydraulic line on a City garbage truck be denied.

Respectfully submitted,

STEPHEN R. SAWYER,
City Attorney.

By CHRIS A. BERGSTROM,
Assistant City Attorney.

By COUNCILMAN ADADO—

That we concur in the recommendation of the City Attorney and said claim be denied.

Adopted by the following vote:

Yeas: Councilmen Adado, Belen, Brenke, Gunther, Lindemann, McKane, Worthington—6.

Nays: Councilmen Blair, Lindemann—2.

DATE: July 31, 1981

TO: Council President Lucile Belen,
Mayor Gerald Graves and
City Clerk Theo Fulton

FROM: Edward J. Piloske,
Principal Internal Auditor

SUBJECT: CETA Interim Monitoring Audit for the FY 1980-81 Impression 5 CETA Subgrants.

In accordance with Section 3-402.3 of the City Charter, the Office of Internal Audit submits the following Interim Monitoring Audit report of Impression 5's FY 1980-81 contracts subgranted by the City of Lansing. The contracts audited are:

1) CETA Title II Subgrant
contract period February 1, 1981 thru June 30, 1981

2) CETA Title VI regular Subgrant
contract period October 1, 1980 thru January 31, 1981

3) CETA Title VI Work Project, "Family Science Center"
contract period October 1, 1980 thru January 31, 1981

4) Impression 5 segment of the Administrative Cost Pool
contract period October 1, 1980 thru June 30, 1981

A response from the agency through the City's Manpower Office is requested pertaining to the Findings and Recommendations sections of this report. A response is requested from the Controllers Office as to the administrative actions to be taken with the agency regarding Schedule D of this report.

Referred to Mayor, Committee on Ways and Means.

DATE: 8-4-81

TO: Chairman Belen and Members,
Lansing City Council

FROM: Police Chief Richard A. Gleason

SUBJECT: Parade Application—Boy Scouts of America.

Attached is an application for a parade permit from the Boy Scouts of America for a race, scheduled for 9:00 a.m. on Saturday, October 3, 1981, which has been approved by all the necessary departments.

Our personnel estimate this will cost the City a total of $264.50, which represents one Sergeant, six Police Officers and seven vehicles for two hours.

This is being sent for final action.

By COUNCILMAN BRENKE—

That we concur in the recommendation of the Police Chief and said parade applications be approved.

Carried.

August 6, 1981

Honorable Mayor Gerald W. Graves

Council President Lucile Belen

and Members of the Lansing City Council

Re: Martin Office Building EDC Project
(formerly Jury Rowe Bldg.)

Dear Mayor Graves and

Council Members:

We are forwarding to you a resolution approved by the Lansing Economic Development Corporation Board of Directors of action taken at a regular meeting held on August 5, 1981, approving the Resolution of Inducement, Designation of Project Area and Designation of Bond Counsel. Therefore, it will be necessary for you to appoint two (2) Temporary Directors to this project.

The applicant proposes to acquire the land and six story building located at 112 West Michigan Avenue in downtown Lansing and renovate the six story building for use as rental business offices. They are requesting One Million Eight Hundred Thousand Dollars ($1,800,000) in EDC financing.

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The Economic Development Corporation is in the process of developing a Project Plan to be presented to you at a future date.

Also, inasmuch as there is no residential area to be affected by the Project Plan, we believe that it is not necessary to establish a Project Citizens District Council.

Sincerely yours,

EMERSON B. OHL,
Executive Director.

Referred to Committee on Economic Development.

August 6, 1981

Mayor Gerald W. Graves,
Council President Lucile Belen
and Council Members

Re: 100 Block Hotel EDC Project

Dear Mayor Graves and
Council Members:

At their regular monthly meeting, the Lansing Economic Development Corporation Board of Directors approved Supplement No. 1 to Resolution of Incumbent and Intent to Proceed with a Project and to appoint Bond Counsel.

The Economic Development Corporation has received a proposal from One Michigan Avenue Associates to assist in the financing of a 275 room convention center hotel to be located on the 100 Block, in the City of Lansing.

On April 18, 1981, a resolution was adopted with the express purpose of inducing and encouraging the tax-exempt financing of the construction and acquisition of a multi-story hotel building on the 100 Block in downtown Lansing.

Attached is the Supplement No. 1 Resolution with the Resolution of Inducement and Intent to Issue Revenue Bonds and to Proceed with a Project and Designation of Bond Counsel for the Hotel Project.

On August 11, 1980, Kathryn Haar and George Hess were appointed as Temporary Directors for this project.

The Economic Development Corporation is in the process of preparing a Project Plan to be presented to you at a future date.

Therefore, we request that you approve the attached resolution.

Sincerely yours,

EMERSON B. OHL,
Executive Director.

Referred to Committee on Economic Development.

August 6, 1981

Honorable Mayor Gerald Graves,
Council President Lucile Belen
and Members of the City Council

Re: Dart Energy Facility EDC Project

Dear Mayor Graves and

Council Members:

We are forwarding to you a resolution approved by the Lansing Economic Development Corporation Board of Directors of action taken at a regular meeting held on August 5, 1981, approving the Resolution of Inducement and Intent to Issue Revenue Bonds, to proceed with One or More Projects and to Appoint Bond Counsel. Therefore, it will be necessary for you to appoint two (2) Temporary Directors to this project.

The applicant proposes to construct a multi-story structure on the northwest corner of the intersection of the North Washington Mall and West Ottawa Street in the City of Lansing, which will contain approximately one floor of retail space, eight floors of office space and as many as five floors of residential condominium units. The applicant will use aportion of the facility as its corporate headquarters. They are requesting Ten Million ($10,000,000) in EDC financing in each project should there be more than one.

The Economic Development Corporation is in the process of developing a Project Plan to be presented to you at a future date.

Also, inasmuch as there is no residential area to be affected by the Project Plan, we believe that it is not necessary to establish a Project Citizens District Council.

Sincerely,

EMERSON B. OHL,
Executive Director.

Referred to Committee on Economic Development.

August 4, 1981

Honorable Council President Lucile Belen
and Members of the Lansing City Council

10th Floor, City Hall

Lansing, Michigan 48933

Dear Council President and Members:

This is to advise that I have appointed David J. Fink to serve as a member of the Mayor's Police Community Relations Advisory Board.

Mr. Fink holds a B.A. Degree in Social Science and English from Michigan State University and is a candidate to receive an M.A. Degree from that institution in 1982. He is currently Chief of Police in Vermontville, an Ingham County Deputy Sheriff, a Law Enforcement Instructor at Lansing

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Community College and a Holt High School Teacher; he is, also, a former Lansing Police Officer. I am sure with this excellent background he most certainly will be an asset to this Board.

Mr. Fink resides at 3724 S. Pennsylvania Avenue in the City of Lansing.

This communication is forwarded to you for informational purposes.

Sincerely,

GERALD W. GRAVES,
Mayor.

Received and placed on file.

August 5, 1981

Council President Lucile Belen and
Members of the Lansing City Council

10th Floor, City Hall

Lansing, Michigan 48933

Dear Council President and Members:

Attached please find a copy of a communication received from Pamela Thielke, Chairperson, CDC No. 2, regarding the resignation of Mr. Theodore Lockett from Citizens' District Council No. 2.

In accordance with the Bylaws of the CDC, the position of Mr. Lockett is hereby declared vacant. A replacement will be forwarded to you upon completion of the selection process by the CD staff.

Sincerely,

GERALD W. GRAVES,
Mayor.

Referred to Committee on Physical Development.

August 6, 1981

Council President Lucile Belen and
Members of the Lansing City Council

10th Floor, City Hall

Lansing, Michigan 48933

Dear Council President and Members:

Earlier this year, city officials considered and discussed the problem of acquisition of properties in Phase II of Capitol Commons, generally the east side of Butler Street between Kalamazoo and St. Joseph Streets. In particular, concern was directed at 533 S. Butler, "Fred & Bill's Rib Shop." At that time, it was decided to await UDAG funding for Phase II acquisition with an application for this activity having already been submitted to the U. S. Department of Housing and Urban Development (HUD). At the same time, appraisals were ordered by City Council for this property.

Since that time a number of events have occurred. First, the pending grant application for Phase II acquisition was rejected by HUD. Second, land in Phase I of Capitol Commons was sold and construction initiated, with land sale proceeds received by the City. Finally, appraisals were completed on 533 S. Butler.

My staff has advised me that the City does not have sufficient funds for acquisition, relocation and clearance of all Phase II properties. Traditional city policy has been not to acquire any properties in a project area until all funding is in place. In addition, the Capitol Commons Development Plan, as adopted by City Council, stipulates that Phase II acquisition begin with acquisition of all residential properties first.

City Council must, therefore, determine whether to proceed on one of the alternatives listed below, given current residual funding of approximately $104,000 from the land sale proceeds of Phase I and recognizing the policy adopted via the language in the Development Plan:

1) Purchase of 533 S. Butler and as many other Phase II properties as funding permits.

2) Purchase of as many residential properties only as funding permits.

3) Take no action to acquire any properties until such time as funding is in place to allow all acquisitions.

The City is now in a position to proceed with the purchase of 533 S. Butler and other Phase II properties if City Council so decides, but I consider these questions to be issues of policy which require Council action.

I will direct the appropriate city staff to work with you in considering these alternatives.

Sincerely,

GERALD W. GRAVES,
Mayor.

Referred to Committee on Physical Development.

DATE: 8/6/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Submission of attached correspondence from the Planning Department. Re: Board of Zoning Appeals — Election of Officers.

The attached correspondence is submitted for your information.

GERALD W. GRAVES,
Mayor.

Received and placed on file.

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DATE: 8/6/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Submission of attached correspondence from the Planning Department. Re: Planning Board — Election of Officers.

The attached correspondence is submitted for your information.

GERALD W. GRAVES,
Mayor.

Received and placed on file.

DATE: 8/6/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Planning Department. Re: Z-24-81—2519 N. Grand River.

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Physical Development.

DATE: 8/6/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Planning Department. Re: P-5-81—Jamar Park Subdivision; P-6-81—Waverly Meadows Subdivision; P-8-79—Irish Gardens Final Plat.

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Physical Development.

DATE: 8/6/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Submission of attached correspondence from the Planning Department. Re: TWP-3-81 — 6498 Bishop Road.

The attached correspondence is submitted for your information.

GERALD W. GRAVES,
Mayor.

Received and placed on file.

DATE: 8/6/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Director of Building Safety and Development. Re: Request for Public Hearing — 1032 N. Pine.

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

By COUNCILMAN BRENKE—

That we concur in the recommendation of the Mayor and said public hearing be set for August 24, 1981.

Carried.

## RESOLUTIONS

By ECONOMIC DEVELOPMENT Committee—

Rseolved by the City Council of the City of Lansing:

Whereas, it is necessary to hold a public hearing prior to the Council approval of Industrial Facilities Exemption Certificate for the following petitioner,

Lansing Rehabilitation District No. 5

Petitioner: Fisher Body Division of General Motors Corporation Lansing Plant.

Therefore Be It Resolved that the City Clerk give at least 10 days notice of a public hearing when all persons interested may attend and make any objections they may have to the approval of the certificate and

Further Resolved that the City Clerk notify the legislative body of each taxing unit which levies ad valorem property taxes in the City and

Further Resolved that such hearing shall be held at the Council Chamber in the City Hall on August 31, 1981, at 7:00 p.m. and that notice of such hearing be published in a publication of general circulation of said city.

Adopted by the following vote:

Unanimously.

By ECONOMIC DEVELOPMENT Committee—

City of Lansing
County of Ingham, Michigan

RESOLUTION APPROVING QUALITY DAIRY COMPANY PROJECT PLAN AS SUBMITTED BY THE ECONOMIC DEVELOPMENT CORPORATION OF THE CITY OF LANSING

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Minutes of a regular meeting of the City Council of the City of Lansing, County of Ingham, Michigan, (the "City Council"), held in said City of Lansing on Monday, August 10, 1981, at 7:00 o'clock p.m., Eastern Daylight Time.

Present: Members Councilmen Adado, Belen, Blair, Brenke, Gunther, Lindemann, McKane, Worthington.

Absent: Members None.

The following preamble and resolution were offered by Member Adado and supported by Member Gunther:

Whereas, there exists in the City of Lansing, County of Ingham, Michigan (the "City") the need for certain programs to alleviate and prevent conditions of unemployment and to assist and retain local industrial and commercial enterprises in order to strengthen and revitalize the City's economy; and

Whereas, a program to alleviate the aforesaid conditions has been initiated by The Economic Development Corporation of the City of Lansing (the "Corporation"); and

Whereas, the Corporation in conformity with Act No. 338 Public Acts of Michigan, 1974, as amended ("Act No. 338"), has prepared and submitted a project plan, as amended, providing all information and requirements necessary for a project; and

Whereas, in conformity with Act No. 338 this City Council has conducted a public hearing on said project plan; and

Now, Therefore, Be It Resolved:

1. The project plan, as submitted and approved by the Corporation, meets those requirements set forth in Section 8 of Act No. 338.

2. The persons who will be active in the management of the project for not less than one year after approval of the project plan have sufficient ability and experience to manage the project properly.

3. The proposed methods of financing the project as outlined in the project plan are feasible and the Corporation has the ability to arrange or cause to be arranged, the financing.

4. The project as submitted is reasonable and necessary to carry out the purposes of Act No. 338.

5. Based upon the information submitted and information obtained at public hearings, the project plan as submitted and the project to which it relates, serves to alleviate and prevent conditions of unemployment, strengthen and revitalize the City's economy, encourage the location and expansion of enterprises in the City, and, therefore, constitutes an essential, vital and necessary public purpose.

6. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same hereby are rescinded.

Ayes: Councilmen Adado, Belen, Blair, Brenke, Gunther, Lindemann, McKane, Worthington—8.

Nays: None.

Resolution declared adopted.

THEO FULTON,
City Clerk.

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City Council of the City of Lansing, County of Ingham, Michigan, at a regular meeting held on August 10, 1981, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, and that the minutes of said meeting were kept and will be or have been made available as required by said Act.

THEO FULTON,
City Clerk.

Adopted by the following vote:

Unanimously.

By ECONOMIC DEVELOPMENT Committee—

Resolved by the City Council of the City of Lansing:

Whereas, the Lansing City Council has established a Lansing Plant Rehabilitation District No. 1 in the City of Lansing, pursuant to Act 198, 1974 and

Whereas, Industrial Welding, Inc. has submitted a second application for an Industrial Facility Exemption Certificate in said Plant Rehabilitation District No. 1, and

Whereas, a hearing was held on Industrial Welding, Inc.'s application for an exemption certificate on August 3, 1981, at which time all interested persons had an opportunity to be heard, and

Whereas, Industrial Welding, Inc. has met the requirements for said exemption certificate as required in Public Act 198, and

Whereas, this Council finds that the granting of this exemption certificate, considered together with the aggregate amount of Industrial Facilities and Commercial Redevelopment Exemption Certificates previously granted and currently in force shall not have the effect of impairing the financial soundness of taxing units levying ad valorem property taxes in the City of Lansing, see memorandum of the Finance Director dated July 14, 1981, attached hereto;

Now, Therefore, Be It Resolved that the

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Council of the City of Lansing approve the second application from Industrial Welding, Inc. for an Exemption Certificate in Lansing Plant Rehabilitation District No. 1 and shall remain in effect for a period of 9 years to run concurrently with the first certificate.

Adopted by the following vote:

Unanimously.

By Committee on PUBLIC PROPERTIES AND SAFETY—

Resolved by the City Council of the City of Lansing:

ACT 18, 81

Whereas, The Lansing Planning Board unanimously voted to dispose of several alley and street right-of-ways located in the area between Willow and Glenn Streets;

Now, Therefore, Be It Resolved by the Lansing City Council that the 10 foot East-West alley and the 20 foot North-South alley in Becker's addition be vacated; and

Be It Further Resolved, that the South 10 feet of Lot 20, of Block 2 of Becker's addition be offered for sale to the property owner at 1140 Westmoreland for the amount of ten ($10.00) dollars; and

Be It Finally Resolved, that the South 13.8 feet of Lot 44, of Becker's addition, be offered to the property owner at 1106 Westmoreland for the amount of fourteen ($14.00) dollars.

Adopted by the following vote:

Unanimously.

By Committee on PUBLIC PROPERTIES AND SAFETY—

Resolved by the City Council of the City of Lansing:

ACT 27, 81

Whereas, the vacation of an alley through Everett Park will reduce the paper work and inventories of Property Management, Parks Department, Public Service, Controller's Office and the City Assessor's office.

Now Therefore Be It Resolved by the Lansing City Council that the 16 foot East-West alley in the Plat of Edwards Glendale Heights Subdivision is hereby vacated.

By COUNCILMAN LINDEMANN—

That the resolution be amended as follows:

That in the second paragraph, last line, after the word "in" add the following "Block 226 of".

Carried.

The resolution as amended was adopted by the following vote:

Unanimously.

By Committee on PUBLIC PROPERTIES AND SAFETY—

Resolved by the City Council of the City of Lansing:

Whereas, the Transportation Division staff, the Traffic Board, and the Mayor have recommended the installation of a stop sign on Allegan Street at McPherson Avenue to improve traffic conditions resulting from the conversion of Allegan from one-way to two-way west of Logan Street;

Now, Therefore, Be It Resolved the Lansing City Council hereby approves the installation of a stop sign on Westbound Allegan Street at McPherson Avenue.

Adopted by the following vote:

Unanimously.

By Committee on PUBLIC PROPERTIES AND SAFETY—

Resolved by the City Council of the City of Lansing:

Whereas, the Transportation Division, the Traffic Board, and the Mayor have recommended approval of a resident's request to prohibit parking at the north end of Plymouth Drive near Lyons Park; and

Whereas, personal driveways of Plymouth Drive residents have been blocked by vehicles of Lyons Park users;

Now, Therefore, Be It Resolved the Lansing City Council hereby approves the recommendation to prohibit parking on Plymouth Drive from 150 feet north of Hamilton to 160 feet north of Hamilton on both the east and west sides of the street.

Adopted by the following vote:

Unanimously.

By Committee on PUBLIC PROPERTIES AND SAFETY—

Resolved by the City Council of the City of Lansing:

Whereas, the Traffic Board has recommended that the traffic signal at the intersection of S. Cedar St. and Riley St. be removed; and

Whereas, this recommendation was based on the advice of Transportation Division staff after receipt of a letter from the Lansing School District claiming no further need for the signal due to the closure of Walter French Jr. High School; and

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Whereas, the Second Ward Councilman and residents in the area have protested the proposed removal of the signal on the grounds that the signal is essential for better neighborhood access to Cedar Street; and

Whereas, the Police Department subsequently submitted a letter predicting higher speeds for vehicles on Cedar Street without this signal;

Now, Therefore, Be It Resolved, the Lansing City Council does not concur with the recommendation of the Traffic Board, and hereby affirms that the traffic signal at the Cedar/Riley intersection shall remain in operation; and

Be It Further Resolved the City Council hereby extends the evening operating time of the signal until 9 p.m., as requested by area residents.

Adopted by the following vote:

Unanimously.

By Committee on PUBLIC PROPERTIES AND SAFETY—

Resolved by the City Council of the City of Lansing:

Whereas, the City Council on many occasions over the past several years has expressed its desire to purchase the railroad right-of-way from East Michigan Avenue south to the Grand Trunk tracks for continuation of the Red Cedar Hiking/Biking Path; and

Whereas, a sale agreement was received from Conrail by the City of Lansing containing the updated price for the property of $87,000; and

Whereas, one of the requirements of the agreement was that the City remove and stockpile the rail; and

Whereas, during negotiations with Conrail the raliroad engineers have estimated it will cost approximately $6,700 to have a private contractor remove and stockpile the track, and based on that information (attached), Conrail is willing to reduce the sale price of $87,000 by $6,700, with the City being obligated to engage and pay the contractor:

Now, Therefore, Be It Resolved the Lansing City Council hereby authorizes the purchase of the Conrail right-of-way from East Michigan Avenue to Grand Trunk tracks; and

Be It Further Resolved that funds in account No. 101-000-000-040.26, from the proceeds of sale of urban renewal land, be used for the purchase, and the committee on Ways and Means is requested to prepare an appropriate transfer for Council approval; and

Be It Finally Resolved the Administration is authorized to negotiate and enter into any contracts necessary to finalize the sale and the removal of the track.

Adopted by the following vote:

Unanimously.

By PHYSICAL DEVELOPMENT Committee—

Resolved by the City Council of the City of Lansing:

Whereas, the City of Lansing has undertaken redevelopment and housing rehabilitation projects for the rehabilitation of blighted areas under the Community Development Program sponsored by the Department of Housing and Urban Development;

Whereas, Community Development funds have been allocated since August 6, 1980 for the acquisition and demolition of vacant and boarded up substandard residential properties on overcrowded lots in the Kingsley East Area which constitute safety and health hazards and negative visual impact on adjoining properties within the Westside Neighborhood Strategy Area No. 1;

Whereas, a notice of finding of no significant environmental impact has been published in the Lansing State Journal on the Kingsley East Acquisition and Clearance on June 10, 1980 and no adverse comments pertaining to this project have been received by the Office of the Mayor;

Whereas, the Lansing Planning Board, at their July 21, 1981 meeting recommended the addiitonal acquisition of the following vacant, substandard structures located in the Kingsley East area;

1124 Kingsley Court

1129 Kingsley Court

Now, Therefore Be It Resolved that subject to the availability of funds and the owners willingness to sell at appraised value, the structures located at 1124 and 1129 Kingsley Court be acquired and demolished.

Adopted by the following vote:

Unanimously.

By PHYSICAL DEVELOPMENT Committee—

Resolved by the City Council of the City of Lansing:

Whereas, the City of Lansing has undertaken a Community Development Block Grant Program sponsored by the U. S. Department of Housing and Urban Development (HUD); and

Whereas, a Housing Assistance Plan is required by HUD as part of the Community Development Block Grant Program to pro-

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pose general locations for assisted housing which will expand Lansing's housing stock and provide housing opportunities for lower-income persons; and

Whereas, a second public hearing was held by the Lansing City Council on July 27, 1981 to provide citizens adequate opportunity to comment on a proposed revision which will add Census Tract No. 2 as a location for new construction in the approved Three Year Housing Assistance Plan which currently includes Census Tracts 15, 17, 18, 29, and 53:01; and

Whereas, nobody commented against the proposed revision at the public hearing, and

Whereas, the Lansing Planning Board held a public hearing on the proposal on June 16, 1981 and has recommended approval of the Housing Assistance Plan revision on June 16, 1981; and

Whereas, there is a scarcity of vacant, buildable, residential land suitable for development in Lansing and Census Tract No. 2 has an ideal location in relation to existing public facilities and services; and

Now, Therefore, Be It Resolved that the proposed revision which will add Census Tract No. 2 as a location for new construction in the current Three Year Housing Assistance Plan be approved by City Council and submitted to HUD for approval.

Adopted by the following vote:

Unanimously.

By COUNCILMAN WORTHINGTON—

Resolved by the City Council of the City of Lansing:

P-7-81

Berkey Industrial Park Subdivision

Tentative Preliminary Plat

3305-03-226-041

---

Whereas the preliminary plat of Berkey Industrial Park Subdivision has been submitted for tentative approval; and

Whereas the Planning Board, pursuant to Act 285, Public Acts of 1931, as amended, has approved and recommends that the City Council approve the preliminary plat subject to conditions; and

Whereas the Physical Development Committee of City Council has reviewed the report of the Planning Board and concurs therewith;

Now, Therefore, Be It Resolved that the preliminary plat of Berkey Industrial Park Subdivision is hereby tentatively approved subject to the conditions as outlined following:

1) That the final plat be developed with all public improvements as required by the Lansing Subdivision Regulations and the Michigan State Plat Act.

2) That all lots be graded so that surface water will not drain in such a way as to adversely affect adjacent properties.

3) That the necessary easements be provided for the installation of utilities.

4) That the requirements of the Fire Marshal be complied with.

5) That the requirements of the Michigan Department of Natural Resources be complied with regarding regulation of the flood plain.

6) That the requirements of all other responding agencies be complied with.

7) That the tentative preliminary approval be granted for a period of twelve (12) months; and

Be It Further Resolved that the City Clerk be, and she is hereby is, directed to notify the proprietor and engineer of this action.

Adopted by the following vote:

Unanimously.

## ZONINGS

By COUNCILMAN WORTHINGTON—

Whereas, it is deemed desirable to amend the Classification provided for in the Zoning Code of the City of Lansing, passed on the 13th day of November, 1958, in the following particulars, viz:

That property described as:

Z-21-81 — 1035 E. Saginaw St.,

be re-zoned from "C" Two Family Residential District to "F" Commercial District and the "Map" be changed to indicate such transfer;

Therefore, be it resolved, that the City Clerk shall give at least fifteen days notice of a Public Hearing when all persons interested may attend and make any objections they may have to such proposed changes in said Zoning Code.

Resolved further, that such hearing shall be held at the Council Chamber in the City Hall on the 31st day of August, 1981, at 7:00 o'clock p.m., and that notice of such hearing be published in the official publication of said city, as required by law.

Adopted by the following vote:

Unanimously.

By COUNCILMAN WORTHINGTON—

Whereas, it is deemed desirable to amend the Classification provided for in the Zoning Code of the City of Lansing, passed on

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the 13th day of November, 1958, in the following particulars, viz:

That property described as:

Z-22-81 — 3029 Ruth Avenue,

be re-zoned from "A" One Family Residential District to "DM-1" Multiple Family Dwelling District and the "Map" be changed to indicate such transfer;

Therefore, be it resolved, that the City Clerk shall give at least fifteen days notice of a public hearing when all persons interested may attend and make any objections they may have to such proposed changes in said Zoning Code.

Resolved further, that such hearing shall be held at the Council Chamber in the City Hall on the 31st day of August, 1981, at 7:00 o'clock p.m., and that notice of such hearing be published in the official publication of said city, as required by law.

Adopted by the following vote:

Unanimously.

By COUNCILMAN WORTHINGTON—

Whereas, it is deemed desirable to amend the Classification provided for in the Zoning Code of the City of Lansing, passed on the 13th day of November, 1958, in the following particulars, viz:

That property described as:

Z-23-81 — 1000 East Mt. Hope Ave.,

be re-zoned from "D-1" Professional Office District to "J" Parking District and the "Map" be changed to indicate such transfer;

Therefore, be it resolved, that the City Clerk shall give at least fifteen days notice of a public hearing when all persons interested may attend and make any objections they may have to such proposed changes in said Zoning Code.

Resolved further, that such hearing shall be held at the Council Chamber in the City Hall on the 31st day of August, 1981, at 7:00 o'clock p.m., and that notice of such hearing be published in the official publication of said city, as required by law.

Adopted by the following vote:

Unanimously.

Councilman Lindemann left the session.

By COUNCILMAN WORTHINGTON—

Whereas, by petition duly filed on the 24th day of February, 1969, this council was petitioned to change the following described property from "D" Apartment District to "D-1" Professional Office District all as set forth in the Zoning Code of this city, and

Whereas, due notice as required by law has been given for a public hearing on said petition, and

Whereas, at such hearing held on the 6th day of April, 1981, all parties interested therein were heard and given due consideration, and

Whereas, the property involved is described as:

Z-20-69 — 426 W. Ionia. Part of Lot 7 & 8, Block 86, Original Plat, 3301-16-154-042.

More particularly described as:

The west 66 feet of Lot 7 and the West 66 feet of the South 9 feet of Lot 8, Block 86, Original Plat, City of Lansing, Ingham County, Michigan,

from "D" Apartment District to "D-1" Professional Office District.

Whereas, pursuant to Act 207, P.A. 1921, as amended, the Planning Board advised City Council to approve the request; and

Whereas, the Physical Development Committee of City Council has reviewed the report of the Planning Board and looked at the specific request for the property and concurred with the approval recommendation;

Now, therefore, be it resolved that the request to rezone the above-described property from "D" Apartment District to "D-1" Professional Office District be approved, and

Be it further resolved that the City Clerk be, and she is hereby, directed to notify the applicant of this action.

Adopted by the following vote:

Unanimously.

## PUBLIC IMPROVEMENT IV

By Committee on PHYSICAL DEVELOPMENT—

Resolved by the City Council of the City of Lansing:

That the special assessment roll for Glenburne Sanitary Interceptor:

Assessment Roll No. 283

PS 63022

Property Benefited: For the construction of a 27 inch interceptor sewer along the Grand River from the end of the existing 27 inch sewer approximately 1000 feet on easement to serve Glenburne No. 5 Subdivision; as returned by the City Assessor (as amended by the City Council upon review as follows) be and the same is hereby ratified and confirmed, and the Mayor be and hereby is directed to affix within ten

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days, his warrant directing the City Treasurer to collect said tax on or before the 10th day of November, 1981.

To be constructed under the Glenburne Sanitary Interceptor Sewer Contract, PS 63022.

Adopted by the following vote:

Unanimously.

By WAYS AND MEANS Committee—

Resolved by the City Council of the City of Lansing:

That the following transfer be approved:

$ 47.00 from Fund Balance
A/C 301-000-000-390

435.00 from Estimated Revenues
A/C 301-000-000-160

435.00 from Retained Earnings
A/C 590-000-000-395

$ 45.00 to 1963 Storm Sewer—Paying Agents
A/C 301-945-974-999

2.00 to 1963 Fire Stations—Paying Agent
A/C 301-945-975-999

395.00 to 1962 Sewage-Garbage—Paying Agent
A/C 301-946-982-999

15.00 to 1963 Sanitary Sewer—Paying Agent
A/C 301-946-983-999

25.00 to 1963 Sewage Disposal—Paying Agent
A/C 301-946-984-999

435.00 to Interest & Paying Agents
A/C 590-599-000-995

I hereby certify that this is a properly drawn and eligible transfer.

JAMES W. DOWSETT,
Finance Director.

Approved:

TERRY J. McKANE,
JACK D. GUNTHER,
WILLIAM A. BRENKE,
Ways and Means Committee.

Adopted by the following vote:

Unanimously.

By Committee of THE WHOLE—

Resolved by the City Council of the City of Lansing:

Fiscal Year 1981-82

That the following transfer be approved:

$2,500.00 from Estimated Revenues
A/C 101-000-000-160

$2,500.00 to Special Events—Parks and Recreation Dept.
A/C 101-692-000-883

I hereby certify that this is a properly drawn and eligible transfer.

JAMES W. DOWSETT,
Finance Director.

Approved:

TERRY J. McKANE,
JACK D. GUNTHER,
WILLIAM A. BRENKE,
Ways and Means Committee.

Adopted by the following vote:

Unanimously.

## REMARKS BY THE MAYOR'S EXECUTIVE ASSISTANT:

Reported on remarks from Mr. Lemon.

## REMARKS BY THE CITY COUNCIL

By COUNCILMAN ADADO—

Resolved by the City Council of the City of Lansing:

That the rules of the Council be waived for the purpose of presenting items that are not listed on the agenda.

Carried.

By Committee on PHYSICAL DEVELOPMENT—

Resolved by the City Council of the City of Lansing:

Whereas, on February 27, 1981, the City of Lansing sold a portion of 1541 New York Avenue (Neighborhood Development Area No. 3), to Mr and Mrs. Robert Doughty; and

Whereas, Mr. and Mrs. Doughty have submitted a request to the City of Lansing to construct a chain-link fence on this property; and

Whereas, the Deed contains a provision prohibiting any and all construction upon the land without the express written consent of the City of Lansing;

Now, Therefore, Be It Resolved that the Lansing City Council grant permission to Mr. and Mrs. Robert Doughty of 1545 New York Avenue to construct a chain-link fence on their property.

Adopted by the following vote:

Unanimously.

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By COUNCILMAN McKANE—

Resolved by the City Council of the City of Lansing:

Whereas, the Michigan Association of the Deaf is holding its 38th Biennial Convention at the Hilton, August 13, 14th and 15th; and

Whereas, this worthwhile organization has been in existence since 1887 helping persons with hearing impairments; and

Whereas, there are over ½ million individuals in the State of Michigan alone, with impaired hearing; and

Whereas, the accomplishments of the Michigan Association of the deaf addressing the needs of Michigan's hearing impaired have been significant;

Now, Therefore, Be It Resolved the City Council of the City of Lansing hereby extends a warm welcome to the Michigan Association of the Deaf and commends the membership for its dedication to this often overlooked segment of our population; and

Be It Further Resolved the City Council hereby declares Saturday, August 15th as "AWARENESS OF THE DEAF DAY" in Lansing.

Adopted by the following vote:

Unanimously.

The following persons spoke:

James Hart, 753 Princeton, spoke.

Beverly Howeltt, 1705 Lansing, spoke again.

Rev. J. West, Embassey Apts., spoke.

By COUNCILMAN BRENKE—

That this meeting stand adjourned.

Carried.

Council adjourned at 8:30 p.m.

THEO FULTON,
City Clerk.

Lansing, Michigan

August 10, 1981

F/B

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CITY CLERK'S OFFICE
Room 921, City Hall
Lansing, Michigan 48933

Address Correction Requested

BULK RATE
U. S. POSTAGE
PAID
Permit No. 1461
Lansing, Michigan



# OFFICIAL PROCEEDINGS OF THE CITY COUNCIL OF THE CITY OF LANSING

## Proceedings, August 17, 1981

CITY COUNCIL ROOMS

Lansing, Michigan

August 17, 1981

The City Council of the City of Lansing, Michigan, met in regular session and was called to order by President Belen.

Present: Councilmen Adado, Belen, Blair, Brenke, Gunther, Lindemann, McKane, Worthington—8.

Absent: None.

The Clerk announced that a quorum of the Council was present.

Invocation was given by Sister Mary Janice Belen.

Pledge of Allegiance.

By COUNCILMAN BRENKE—

That the council proceedings of July 27, 1981, be approved.

Carried.

Sister Mary Janice Belen, Chairman, Board of Water and Light, spoke relative to Ionia and Ottawa Sts. Frederick Stackable also spoke.

PUBLIC HEARING

August 17, 1981, at 7:00 o'clock being the time set as the time for holding a public hearing on the proposed FCF-1-81 — Foster Care Facility — 524 Tisdale St.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed facility they had the privilege of speaking at this time.

Lois Ide, applicant for the foster care facility, spoke.

Dennis Ide, representing petitioner, spoke.

Resident of 2410 S. Cedar St. spoke in favor of facility.

The following persons spoke in opposition:

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Donald A. Phillip, 2424 W. Miller Rd., owner of property at 521 Tisdale St.

Gene Pangle, 626 Tisdale St.

Ruby Crowley, 528 Tisdale St.

Margaret Rouse, 2047 E. Chadwick Dr.

15 persons in the audience stood in opposition to facility.

Referred to Committee on Physical Development.

**THE PUBLIC MAY NOW ADDRESS THE CITY COUNCIL ON ANY OF THE FOLLOWING ITEMS LISTED ON THE AGENDA: COMMUNICATIONS AND PETITIONS, COMMITTEE REPORTS, REPORTS OF CITY OFFICERS AND BOARDS, AND RESOLUTIONS. YOU MAY SPEAK ONLY FOR 3 MINUTES ON ANY ONE ITEM.**

No person spoke.

## COMMUNICATIONS AND PETITIONS

The following applications and bonds have been filed for licenses:

PUBLIC DRIVER —

Ronald Frederick Salmon, Kenneth Wayne Green, David Bruce Parrott, David William Patton, Joseph Russell Wilson.

RUBBISH HAULER —

Branford Harris.

HEATING, AIR CONDITIONING AND REFRIGERATION —

Hammontree Htg. and Air Conditioning, J & J Heating and Air Conditioning and Bergman Refrigeration.

AUTOMOBILE WRECKER —

Bob's Towing.

Referred to Committee on General Services.

Claims filed by:

Neil I. Wells for damage to his automobile after being hit by a city refuse truck.

Shirely B. Willis for damage to automobile due to hitting a pot hole.

Referred to Mayor, City Attorney.

Request from Claudia Ruehle for permission to close off Berwick St. between Glenbrook and Hilborn on September 13, 1981 for block party.

Referred to Mayor.

Request from The Spiritual Israel Church for permission to operate an outdoors ministry program at Saginaw St. and Marshall Street on August 23 through 29, 1981.

Referred to Mayor.

Notice from the Department of Education — State of Michigan, that the Michigan School for the Blind has been awarded reaccreditation by the National Accreditation Council for agencies serving the blind and visually handicapped.

Received and placed on file.

Letter from William D. Parsley, Attorney for Paul Fershee, in regard to appealing order of the Fire Prevention Bureau in connection with concession rights to operate cafeterias (3) located in the Stevens T. Mason Bldg., Lewis Cass Bldg., and Transportation Bldg.

Referred to Mayor, Fire Chief, Committee on General Services.

Letter from The Foster Community Center Citizens Advisory Committee asking about funds that were paid back to the Community Development and were to be used for a future eastside Community Center.

Referred to Mayor, Committee on Ways and Means.

Letter from Dr. Virinder Grewal, M.D., in regard to traffic citation he received and is objecting to.

Referred to Mayor, City Attorney, Police Department.

Request from The Roary Corporation that the Grinnel Drain and easement in portion of Good Homes Subd. be vacated.

Referred to Mayor, Planning Board.

Charter Township of Delta submits notice of pending conditional use permit for property at 121 W. Waverly Rd.

Received and placed on file.

Letter from Fern Holland relative how taxpayers' money is spent.

Referred to Mayor.

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Letter from PSSM (Personal Security and Service Management) enclosing information regarding their services.

Referred to Mayor, City Attorney.

Letter from Thomas C. Walsh, Attorney, relative Washington Mall Maintenance Assessment.

Referred to Mayor, City Attorney.

City Visions, Inc., submits notice of intent to construct a condominium development at 311 Seymour St.

Referred to Mayor, Planning Board.

Notice from Continental Cablevision of Lansing of its intent to raise their fees.

Received and placed on file.

Notice from State of Michigan — Public Service Commission, in the matter of the application of Consumers Power Co. for authority to increase its rates for sale of electricity.

Received and placed on file.

**MAYOR'S EXECUTIVE ASSISTANT COMMENTS ON ANY ITEM ON THE AGENDA.**

No comment.

**REPORT OF COMMITTEE**

The Committee on GENERAL SERVICES approves the following applications and bonds for licenses:

PUBLIC DRIVER —

Ronald Frederick Salmon, Kenneth Wayne Green, David Bruce Parrott, David William Patton. Joseph Russell Wilson.

RUBBISH HAULER —

Branford Harris.

HEATING, AIR CONDITIONING AND REFRIGERATION —

Hammontree Htg. and Air Condt., J & J Htg. and Air Condt., Bergman Refrigeration.

AUTOMOBILE WRECKER —

Bob's Towing.

AUCTIONEER —

Everett R. Miller.

MECHANICAL AMUSEMENT DEVICE —

Flynn's Market.

Signed:

WILLIAM A. BRENKE,
PAT LINDEMANN,
TERRY J. McKANE,
Committee on General Services.

By COUNCILMAN BRENKE—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

**REPORTS OF CITY OFFICERS AND BOARDS**

August 13, 1981

President Lucile Belen
and Members of City Council

Re: Claim of David Erickson (c/o Caroline Bruce) in the amount of $400.00

Dear President Belen and
Members of City Council:

Caroline Bruce filed a claim on behalf of David Erickson in the amount of $400 for damages resulting to his vehicle after a collision with a police vehicle on September 20, 1980.

A review of the traffic accident report and a separate investigation conducted by the Lansing Police Department indicates that Mr. Erickson was issued a citation for running a red light as a result of the accident at the intersection of Kalamazoo Street and Grand Avenue. That citation was subsequently dismissed when a necessary witness for the plaintiff, the City of Lansing, did not appear for a scheduled court hearing. The separate investigation conducted by the Police Department subsequent to this accident concluded that the officer's involvement in the accident was unpreventable and that the officer in fact had the green light at the moment of impact.

Pursuant to MCLA 691.1405; MSA 3.996-(105) governmental agencies are liable for bodily injury and property damage resulting from the negligent operation of a motor vehicle. Based on an examination of the accident report and the investigation conducted by the Lansing Police Department, this office concludes that the police vehicle involved in this accident on the date in question was not being operated in a negligent manner.

Applying the aforementioned statute to the facts of this case, it is the recommendation of this office that this claim be denied.

Respectfully submitted,

STEPHEN R. SAWYER,
City Attorney.

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By COUNCILMAN ADADO—

That we concur in the recommendation of the City Attorney and said claim be denied.

Carried.

August 13, 1981

President Lucile Belen and
Members of City Council

Re: Claim of Richard Warren in the amount of $415.52

Dear President Belen and
Members of City Council:

On April 14, 1981, this claimant's automobile was in the driveway of his home at 1145 Linwood when a large tree limb fell on his automobile causing damage in the amount of $415.52. Mr. Warren does not have insurance to cover the damage to his vehicle. He alleges that a City trash truck struck the limb in question causing it to fall on his automobile and is requesting reimbursement for the damage.

Information provided this office by the Public Service Department indicates that a one man truck was operating on Linwood on the date in question. The driver of that truck does not recall striking any tree or tree limb or seeing a tree limb on an automobile. The Public Service Department does indicate that a heavy windstorm had gone through the Lansing area at the approximate time of this incident and speculates that it was that act of God which caused the damage to this claimant's vehicle.

During the first week of July, this claimant contacted this office indicating that he had eyewitnesses to the refuse truck striking the limb in question and would provide this office with the necessary information so those witnesses could be contacted. As of August 11, 1981, that information has not been provided which leaves this office with no independent evidence to support the claimant's version of the incident.

Under Michigan law, municipalities are liable for property damage resulting from the negligent operation of a motor vehicle owned and operated by the municipality. See MCLA 691.1405; MSA 3.996(105). This office is not aware of any facts which would indicate that a City veihcle was operated negligently on the date in question or, for that matter, that a City vehcile hit the tree limb in question as this claimant has indicated.

Based on the aforementioned, it is the recommendation of this office that this claim be denied.

Respectfully submitted,

STEPHEN R. SAWYER,
City Attorney.

By COUNCILMAN ADADO—

That we concur in the recommendation of the City Attorney and said claim be denied.

Carried.

August 13, 1981

President Lucile Belen and
Members of City Council

Re: Claim of Minnie Scott in the amount of $215.00

Dear President Belen and
Members of City Council:

This claimant has filed a claim in the amount of $215.00 for property taken from her upon her admission to the Lansing City jail and not returned upon her release from the Ingham County jail after serving a nine month sentence. The items allegedly not returned include a $200 digital watch, two bracelets totalling $5 and a $10 pair of sunglasses.

Lansing Police Department records indicate that this claimant was admitted into the Lansing City jail on July 23, 1980 and had the items in question checked in as property. She was transported that same day to the Ingham County jail and, assuming usual procedures were followed, the property in question was transported with her. The records of the Ingham County jail indicate that, upon her release on March 5, 1981, this claimant signed a property receipt indicating the return of sandals, slacks, a shirt, ear rings, three rings, a pair of sunglasses, a watch, and two necklaces. It would therefore appear, that with a possible exception of the two bracelets, all of the items that are the subject of this claim were returned to her and she signed a receipt so indicating.

MCLA 691.1407; MSA 3.996(107) immunizes municipalities from tort liability where the municipality is engaged in the exercise or discharge of a governmental function. The term "governmental function" has been limited in scope by court decisions to include those activities which can be effectively accomplished by government. See Parker v Highland Park, 404 Mich 187; 273 NW2d 403 (1978). It is clear, that the functions of the Police Department, including the custody of property, constitute a governmental function and would fall within the purview of the aforementioned statute. It would therefore follow that the City of Lansing would be immune from negligence in this instance even if facts were presented which would constitute negligent action on the part of the Police Department.

Applying the aforementioned statute to the allegations presented by this claimant, it is the recommendation of this office that this claim be denied.

Respectfully submitted,

STEPHEN R. SAWYER,
City Attorney.

By COUNCILMAN ADADO—

That we concur in the recommendation of the City Attorney and said claim be denied.

Carried.

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

August 13, 1981

President Lucile Belen
and Members of City Council

Re: Claim of Patricia A. Baker in the amount of $150.00

Dear President Belen and
Members of City Council:

This claimant incurred damage to her automobile while traveling northbound on S. Washington Avenue at Dunlap on October 1, 1980 at approximately 20-25 mph when her vehicle struck a manhole cover in an area where street resurfacing was in progress. The impact caused this claimant to lose control of the vehicle and hit a curb causing extensive damage to the vehicle's undercarriage, engine fan and body. Auto Owners Insurance Company paid $1,045.02 to repair the vehicle. This claimant requests reimbursement from the City of Lansing for her deductible portion of the repair cost in the amount of $150.00.

The Public Service Department informs this office that on the date in question South Washington Avenue had been planed down in preparation for street resurfacing. Manholes were left protruding to a maximum height of two (2) inches. The procedure followed on South Washington Avenue was identical to that followed on all streets during resurfacing projects.

Michigan statutory law, being MCLA 691.1402; MSA 3.996(102), requires the City of Lansing to maintain all streets in reasonable repair and in a condition reasonably safe, fit and convenient for public travel. Michigan courts have not directly addressed whether or not a two inch protrusion created by a governmental agency renders a street unreasonably unsafe or unfit for public travel. However, an ancient Michigan case held that a 2½" depression on a street surface did not render a street unreasonably unsafe or unfit for public travel. See Jones v Detroit, 171 Mich 608 (1912). Additionally, Michigan courts have held, that the doctrine of comparative negligence is applicable to any motorist who uses or misuses a highway. See Wade v State, 92 Mich App 234; 284 NW2d 522 (1979). In the opinion of this office, an argument could be made that a speed of 20-25 mph in the construction zone in question could constitute negligence on the part of the claimant. It should also be noted, that the Public Service Department has never received any previous claims or complaints of this nature as a result of street resurfacing work.

Based on the aforementioned statute and case law, it is the opinion of this office, that the two inch protrusion existing on South Washington Avenue at the time of this incident as a result of street resurfacing work did not render that roadway unreasonably unsafe or unfit for public travel. Additionally, this claimant may have been negligent in traveling through a construction area at a speed of 20-25 mph and/or driving an automobile with a ground clearance of only two inches on a roadway.

Based on the foregoing, it is the recommendation of this office that this claim be denied.

Respectfully submitted,

STEPHEN R. SAWYER,
City Attorney.

By COUNCILMAN ADADO—

That we concur in the recommendation of the City Attorney and said claim be denied.

Carried.

August 12, 1981

Honorable Gerald Graves
Mayor

Member of the City Council

Lansing, Michigan

Honorable Mayor and Council Members:

This is in reference to the request from Lansing Federation of Musicians for a new Club license with Dance Permit at 2703 N. Turner Street, Lansing.

Pursuant to the Lansing City Ordinance, Sec. 4-3 (b), a survey of the property owners within a radius of 300 feet of the site of the proposed place of business was taken. The results of the survey are as follow:

| | Foot Frontage | Percent of Total Frontage |
|---|---|---|
| Approved | 487.94 | 30.313% |
| Disapproved | 1121.68 | 69.686% |

Therefore, according to the total foot frontage, only 30.313% of the required 60% of the property owners within a radius of 300 feet approve.

It might also be noted that the City Ordinance, Sec. 4-3 (d) no license for selling of alcohol liquor shall be approved by the City Council except under the following conditions: (d) Unless the premises for which application is made shall not be within 500 feet of any church or other place of worship or school by the regularly traveled thoroughfare. St. Therese School is at 2620 N. Turner and is within 500 feet of Lansing Federation of Musicians, applicant for a new Club license to be located at 2703 N. Turner.

Sincerely,

RICHARD A. GLEASON,
Chief of Police.

Referred to Committee on General Services.

DATE: August 12, 1981

TO: Council President Lucile Belen,
Mayor Gerald Graves and
City Clerk Theo Fulton

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FROM: Edward J. Piloske,
Principal Internal Auditor

SUBJECT: CETA Interim Monitoring Audit for the FY 1980-81 Lansing Art Gallery CETA Title II Subgrant

In accordance with Section 3-402.3 of the City Charter, the Office of Internal Audit submits the following Interim Monitoring Audit report of Lansing Art Gallery's FY 1980-81 CETA contracts subgranted by the City of Lansing. The contracts audited are:

1) CETA Title II Subgrant
contract period October 1, 1980 thru June 30, 1981

2) Lansing Art Gallery segment of the Administrative Cost Pool
contract period October 1, 1980 thru June 30, 1981

A response from the agency through the City's Manpower Office is requested pertaining to the Findings and Recommendations sections of this report. A response is requested from the Controller's Office as to administrative actions to be taken with the agency regarding Schedule D of this report.

Referred to Mayor, Committee on Ways and Means.

DATE: 8/11/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Chairman, Public Service Board. Re: Downtown Parking Study.

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Special Parking Committee.

DATE: 8/11/81

TO: Council President and
Members of Lansing City Council

FROM: Mayor Gerald W. Graves

SUBJECT: Woodman Walkway.

The attached communication, submitted by the Chairperson of Citizens' District Council No. 2, regarding the construction of a walkway along the Woodman Street right-of-way, is forwarded to you for your information. Prior to the second re-bid of this project, the Deputy Director for Redevelopment is contacting all appropriate dethe architect's plans meet with their apthe architect's plans meet with heir approval. Bidding will be done upon completion of their review, which is expected by August 17, 1981.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Physical Development.

DATE: 8/13/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Submission of attached correspondence from the Public Service Department. Re: Notification of three employees who recently passed the State of Michigan registration examination to become Registered Professional Engineers.

The attached correspondence is submitted for your information.

GERALD W. GRAVES,
Mayor.

Received and placed on file.

DATE: 8/13/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Submission of attached correspondence from the Parks Director. Re: Effects of Non-Resident Fees on Revenues and Participation.

The attached correspondence is submitted for your information.

GERALD W. GRAVES,
Mayor.

Received and placed on file.

DATE: 8/12/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Submission of attached correspondence from the Chief of Police. Re: Response to criticism by Elizabeth Bogue of the manner in which the Lansing Police Department handles complaints of spouse abuse.

The attached correspondence is submitted for your information.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Public Property and Safety.

August 14, 1981

Council President Lucile Belen
and Members of the Lansing City Council

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

10th Floor, City Hall

Lansing, Michigan 48933

Dear Council President and Members:

Please find attached an estimate prepared by the Parks and Recreation Department of that Department's costs involved in City co-sponsorship of the North Lansing Fish Fest scheduled for September 18-20, 1981. In the past, City co-sponsorship has only recognized direct costs in the Parks Department and has not specifically considered over-time costs in the Police and Fire Departments or the impacts of re-assignment in those departments to accommodaate such events. Therefore, no report is submitted from those departments.

The current City budget includes a line item in the Parks Department to accommodate the City's cost for such special events. As the budget was developed, this was contemplated to include co-sponsorship of the North Lansing Fun Fest, which the City had co-sponsored during each previous year.

This is submitted to you for your action.

Sincerely,

GERALD W. GRAVES,
Mayor.

Referred to Committee on Public Property and Safety.

## RESOLUTIONS

Councilman Blair left the session.

By the Committee on ECONOMIC DEVELOPMENT—

RESOLUTION APPROVING PROJECT AREA, ESTABLISHING PROJECT DISTRICT AREA AND CONFIRMING APPOINTMENT OF ADDITIONAL DIRECTORS TO THE BOARD OF DIRECTORS OF THE ISSUER
(Martin Office Building Project)

Minutes of a regular meeting of the City Council of the City of Lansing, Michigan, held at 7:00 o'clock p.m., Michigan Time, on August 17, 1981, at which the following members were present:

Councilman Adado, Belen, Blair, Brenke, Gunther, Lindemann, McKane, Worthington;

and the following were absent:

None.

The following preamble and resolution were offered by Councilman Adado and supported by Councilman Blair:

Whereas, the Economic Development Corporations Act, Act No. 338 of the Michigan Public Acts of 1974, as amended (the "Act"), recognizes that there exists in the State of Michigan the need for programs to alleviate and prevent conditions of unemployment, to assist and retain local industries and commercial enterprises, to encourage and assist the location and expansion of such enterprises to provide needed services and facilities to the City of Lansing and its residents to promote the forestry and agricultural sectors of the State's economy, and to encourage the development of facilities designed to produce energy from renewable sources; and

Whereas, the Act provides a means by which these needs may be addressed; and

Whereas, Van Martin, as representative of a proposed Michigan partnership, (the "Company") has proposed a project (the "Project") to The Economic Development Corporation of the City of Lansing (the "Issuer") which would assist in the alleviation of the aforementioned conditions; and

Whereas, the Issuer, in conformity with the Act, has designated a Project Area and recommended a Project District Area for its Project to this City Council for its approval thereof.

Now, Therefore, Be It Resolved by this City Council of the City of Lansing, as follows:

1. The following Project Area, as designated by the Issuer, is hereby certified as approved:

See Exhibit "A"

2. The territory surrounding said designated Project Area will not be significantly affected by the Project and, therefore, a Project District Area having the same description as the Project Area herein certified as approved is hereby established.

3. Pursuant to Section 20(b) of the Act, a Project Citizens District Council is not required for the Project and therefore, such a Council shall not be formed.

4. This Council hereby advises and consents to the appointment by the chief executive officer of the City of Lansing of _____ and _____ as additional directors to the Board of Directors of the Issuer, pursuant to Section 4(2) of the Act, said persons being representative of neighborhood residents and business interests likely to be affected by the Project.

5. The City Clerk is hereby directed to provide three (3) certified copies of this resolution to the Secretary of the Issuer.

Yeas: Councilman Adado, Belen, Blair, Brenke, Gunther, Lindemann, McKane, Worthington.

Nays: None.

Abstentions: None.

Resolution declared adopted.

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

STATE OF MICHIGAN )
) ss.
COUNTY OF INGHAM )

I hereby certify that the foregoing is a true and complete copy of a resolution adopted at a regular meeting of the City Council of the City of Lansing, County of Ingham, Michigan, held on the 17th day of August, 1981, and that said minutes are on file in the office of the City Clerk and are available to the public. Public notice of said meeting was given pursuant to and in compliance with Act No. 267, Public Acts of Michigan, 1976.

THEO FULTON,
City Clerk.

EXHIBIT A

LEGAL DESCRIPTION

The North 100 feet of the West two-thirds of Lot 3, and the North 100 feet of the East one-third of Lot 4, Block 3 of the Original Plat, City of Lansing, Ingham County, Michigan.

Adopted by the following vote:

Unanimously.

RESOLUTION APPROVING PROJECT AREA, ESTABLISHING PROJECT DISTRICT AREA AND CONFIRMING APPOINTMENT OF ADDITIONAL DIRECTORS TO THE BOARD OF DIRECTORS OF THE ISSUER

(Dart Energy Facility Project)

Minutes of a regular meeting of the City Council of the City of Lansing, Michigan, held at 7:00 o'clock p.m., Michigan Time, on August 17, 1981, at which the following members were present:

Councilman Adado, Belen, Blair, Brenke, Gunther, Lindemann, McKane, Worthington;

and the following were absent:

None.

The following preamble and resolution were offered by Councilman Adado and supported by Councilman Blair:

Whereas, the Economic Development Corporations Act, Act No. 338 of the Michigan Public Acts of 1974, as amended (the "Act"), recognizes that there exists in the State of Michigan the need for programs to alleviate and prevent conditions of unemployment, to assist and retain local industries and commercial enterprises, to encourage and assist the location and expansion of such enterprises to provide needed services and facilities to the City of Lansing and its residents to promote the forestry and agricultural sectors of the State's economy, and to encourage the development of facilities designed to produce energy from renewable sources; and

Whereas, the Act provides a means by which these needs may be addressed; and

Whereas, Dart Energy Corporation, a Michigan corporation (the "Company") has proposed a multi-use facility consisting of a multi-story structure tentatively expected to contain one floor of retail space, eight floors of office space and as many as five floors of residential condominium units (the "Facility") to The Economic Development Corporation of the City of Lansing (the "Issuer") which would assist in the alleviation of the aforementioned conditions; and

Whereas, the Company and the Issuer anticipate that the Facility will consist of one or more "projects" as defined in the Act and the "projects" which comprise the Facility will each be owned by a separate entity and will be financed by one or more separate series of bonds or notes issued by the Issuer; and

Whereas, the Issuer, in conformity with the Act, has designated a Project Area and Project District Area for the Facility to this City Council for its approval thereof.

Now, Therefore, Be It Resolved by this City Council of the City of Lansing, as follows:

1. The following Project Area, as designated by the Issuer, is hereby certified as approved:

See Exhibit "A"

2. The territory surrounding said designated Project Area will not be significantly affected by the Facility and, therefore, a Project District Area having the same desciption as the Project Area herein certified as approved is hereby established.

3. Pursuant to Section 20(b) and (e) of the Act, a Project Citizens District Council is not required for the Facility and therefore such a Council shall not be formed.

4. This Council hereby advises and consents to the appointment by the chief executive officer of the City of Lansing of

_____ and _____

as additional directors to the Board of Directors of the Issuer, pursuant to Section 4(2) of the Act, said persons being representative of neighborhood residents and business interests likely to be affected by the Facility.

5. The City Clerk is hereby directed to provide three (3) certified copies of this resolution to the Secretary of the Issuer.

Yeas: Councilman Adado, Belen, Blair, Brenke, Gunther, Lindemann, McKane, Worthington.

Nays: None.

Abstentions: None.

Resolution declared adopted.

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STATE OF MICHIGAN )
) ss.
COUNTY OF INGHAM )

I hereby certify that the foregoing is a true and complete copy of a resolution adopted at a regular meeting of the City Council of the City of Lansing, County of Ingham, Michigan, held on the 17th day of August, 1981, and that the said minutes are on file in the office of the City Clerk and are available to the public. Public notice of said meeting was given pursuant to and in compliance with Act No. 267, Public Acts of Michigan, 1976.

THEO FULTON,
City Clerk.

EXHIBIT A

LEGAL DESCRIPTION

The East 140 feet of Lots 5 and 6 of Block 96, the Original Plat of the City of Lansing, Ingham County, Michigan, according to the recorded plat thereof.

Adopted by the following vote:

Unanimously.

By ECONOMIC DEVELOPMENT Committee—

Resolved by the City Council of the City of Lansing:

Whereas, Dart Medical Incorporated has requested Lansing's consent to the transfer of 15 employees from downtown to Alaiedon Township pursuant to the requirements of P.A. 198 of 1974, and

Whereas, the placement of these Dart employees in leased facilities at 113 E. Allegan has been considered a temporary arrangement pending completion of the Alaiedon Township building, and

Whereas, this move will afford Dart Medical the opportunity to expand and increase its payroll in the future,

Now, Therefore, Be It Resolved, the City Council of the City of Lansing hereby authorizes the transfer of 15 employees from the City of Lansing to Alaiedon Township for the purpose of obtaining an Industrial Facilities Exemption Certificate for that project in Alaiedon Township.

Adopted by the following vote:

Unanimously.

Councilman Blair returned.

By PHYSICAL DEVELOPMENT Committee—

Resolved by the City Council of the City of Lansing:

Whereas, the Lansing City Council has established a policy regarding the disposition of vacant lots in Neighborhood Development Areas, and

Whereas, Section 8-403.4 of the City Charter of the City of Lansing requires that City Council approve proposed sales of real estate.

Now, Therefore, Be It Resolved by the Lansing City Council that the following proposed sale be and is hereby approved:

To Floyd and Norma J. May, husband and wife, the property legally described as Lot 446, Excelsior Land Company's Subdivision, City of Lansing, Ingham County, Michigan (commonly known as 1247 Bensch Street No. 3301-22-256-131-9, NDA No. 2).

Adopted by the following vote:

Unanmiously.

By PHYSICAL DEVELOPMENT Committee—

Resolved by the City Council of the City of Lansing:

Whereas, the Lansing City Council has established a policy regarding the disposition of vacant lots in Neighborhood Development Areas; and

Whereas, Section 8-403.4 of the City Charter of the City of Lansing requires that City Council approve proposed sales of real estate.

Now, Therefore, Be It Resolved by the Lansing City Council that the following proposed sales be and are hereby approved:

To Emerson E. Boles, Jr., the property legally described as the East of 16.5 feet of Lots 16 and 17, Block 2, Handy Home Addition, City of Lansing, Ingham County, Michigan (portion of 910 Drury Lane, No. 3301-10-157-341)

and

To Stuart J. Dunnings, Jr., the property legally described as the West 35 feet of Lots 58 and 59, Assessor's Plat No. 42, City of Lansing, Ingham County, Michigan (property south of 1209 W. Hillsdale Street),

and

To Stuart J. Dunnings, Jr., the property described as commencing at SW corner Lot 56, thence E 35 feet, thence Southwesterly, to NW corner Lot 95, thence W to a point on south line Lot 59, 35 feet E of SW corner Lot 59, thence N 66 feet to beginning, all being Assessor's Plat No. 42, City of Lansing, Ingham County, Michigan. (Property behind 1205 W. Hillsdale Street.)

Adopted by the following vote:

Unanimously.

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By PHYSICAL DEVELOPMENT Committee—

Resolved by the City Council of the City of Lansing:

Whereas, the Abood-Ramada Subdivision was developed in 1968, and the security deposit that was posted at that time for construction of sidewalks has since expired; and

Whereas, the Knights Inn Motel was recently constructed on Lot 4 of Brandford Scott Park Subdivision, creating a need for sidewalk on the south side of Ramada Drive; and

Whereas, the Public Service Director and the Mayor have recommended that sidewalk be ordered in on the south side of Ramada Drive fronting on Lot 1 of Abood-Ramada Subdivsion;

Now, Therefore, Be It Resolved the Lansing City Council hereby determines that it is a necessary public improvement to construct a new concrete sidewalk on Ramada Drive in front of Lot 1, Abood-Ramada Subdivision, 3305-10-126-011, owned by Ramada Inn of Lansing, Inc., and that the owners of said above described land be and are hereby required to construct the same in accordance with the specifications on file in the office of the City Engineer on or before the 1st day of October, 1981; and

Be It Further Resolved, the Public Service Director is authorized to proceed to construct such concrete walk at the above described premises after the expiration of said date upon the failure of the owner of the parcel to construct the same as hereby required; and

Be It Further Resolved, the expense of constructing the same shall be paid out of the Contingency Fund, and the City Assessor is hereby authorized to assess the expenses of construction against said land as provided by Section 28-27, Chapter 28 of the Code of Ordinances; and

Be It Finally Resolved, the City Clerk is hereby requested to give due notice hereof by publication of a notice of this resolution as provided by Section 28-14, Chapter 28 of the Code of Ordinances.

Adopted by the following vote:

Unanimously.

By PHYSICAL DEVELOPMENT Committee—

Resolved by the City Council of the City of Lansing:

Whereas, the developer is prepared to install sidewalks on the 3100 and 3200 blocks of Delta River Drive, and

Whereas, citizens living in the area have expressed concerns both for and against the installation of sidewalks, and

Whereas, the Committee on Physical Development has heard testimony and discussed this matter at length,

Now, Therefore Be It Resolved, the City Council of the City of Lansing hereby directs the developer to proceed with the construction of sidewalk on the 3100 block of Delta River Drive, and

Be It Further Resolved, the developer's financial security for the construction of sidewalk on the 3200 block is hereby authorized for release, with the understanding that residents, of that block will bear the cost of sidewalk construction should it be ordered at some future date.

Adopted by the following vote:

Unanimously.

By Committee on PHYSICAL DEVELOPMENT—

Resolved by the City Council of the City of Lansing:

Whereas, the City has received a request from James M. Howland of 5808 Oak Knoll Drive to vacate a five-foot wide utility easement along the south side of his lot so that he can construct a garage that would encroach two feet onto this easement; and

Whereas, responses from utilities to this request have been favorable, except that the Board of Water and Light desires that the southern three feet of the easement be retained for access to their primary cable running parallel to the easement on the adjacent property; and

Whereas, the Public Service Department and the Mayor have recommended that only the northern two feet of the easement, meaning that part needed for the garage construction, be vacated, thus allowing the Board of Water and Light to three-foot easement for continued access to their cable;

Now, Therefore, Be It Resolved the Lansing City Council hereby approves the vacation of the north two feet of the five-foot utility easement on the south side lot line of Lot 56, Lancen Village South Subdivision; and

Be It Further Resolved the City Council requests that this vacation be recorded as required, and that all necessary notifications be made.

Adopted by the following vote:

Unanimously.

By COUNCILMAN WORTHINGTON—

Resolved by the City Council of the City of Lansing:

Whereas, the Board of Water and Light and Stackable and Boone have requested the vacation of a portion of the 200 block of East Ottawa Street, between North Grand Avenue and the Grand River, more particularly described as:

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That portion of the 200 block of East Ottawa Street right-of-way from the east line of Grand Avenue easterly to the west bank of the Grand River, and

a portion of the 200 block of East Ionia Street, between North Grand Avenue and the Grand River, more particularly described as:

That portion of the 200 block of the East Ionia Street right-of-way from the east line of Grand Avenue easterly to the west bank of the Grand River, and

Whereas, the Board of Water and Light possesses property in line to the southeast of property owned by Stackable and Boone, said property being formally titled in the name of the City; and

Whereas, the Board of Water and Light and Stackable and Boone have entered into an agreement whereby the Board of Water and Light will sell two parcels of property collectively totaling approximately 7,000 square feet and titled in the name of the City, and by warranty deed and by quit-claim deed to Stackable and Boone upon successful completion of the vacation of Ionia and Ottawa Streets.

Whereas, it has been determined that said properties are not essential for the continuing operation of the Board of Water and Light; and

Whereas, the Planning Board has done a 285 review for Ionia Street and has recommended a vacation of a portion thereof, but has yet to do a 285 review on the vacation of Ottawa; and

Whereas, a 285 review of the proposed vacation of Ottawa Street will be needed before the City Council can authorize vacation of Ottawa Street; and

Whereas, Michigan law requires the vacation of both Ottawa and Ionia Streets will require Circuit Court action; now, therefore,

Be It Resolved that the 200 block of East Ionia right-of-way from the east line of Grand Avenue easterly to the west bank of the Grand River be vacated; and

Be It Further Resolved that the City Attorney's office is hereby authorized and directed to commence the appropriate proceedings in Circuit Court to effect the vacation of Ionia Street; and

Be It Further Resolved that the Planning Board be urged to conduct a 285 review of the proposed vacation of Ottawa Street with all dispatch; and

Be It Further Resolved that the City of Lansing, upon the vacation of the 200 block of East Ottawa Street hereby expresses its intent to transfer its interest in said property to the Board of Water and Light in accordance with the provisions of the Lansing City Charter; and

Be It Further Resolved that the Lansing City Council hereby approves the sale of the following properties as outlined in the appended agreement of August 17, 1981 between the Board of Water and Light and Stackable and Boone:

a. By Warranty Deed:

Commencing at the intersection of the East Line of Grand Avenue and the centerline of Ionia Street, thence East along the centerline of Ionia Street 84.58′ to the point of beginning, thence further East along said centerline 4.51′ thence North 50° 05′ 10″ East 157.52′, thence North 00° 29′ 40″ East 39.74′, thence North 89° 53′ 57″ West 5.93′, thence South 50° 14′ 05″ West 155.77′, thence South 41.25′ to point of beginning, being a part of lots 12 and 13, Block 66 and Ionia Street as shown on the original plat of the City of Lansing. Containing approximately 5,587 square feet.

b. By Quit-Claim Deed:

Beginning at the intersection of the East line of Grand Avenue and the North line of Ionia Street thence East 68.95′ to the point of beginning, thence further East along North line of Ionia Street 15.63′, thence North 50° 14′ O5″ East 155.77′, thence North 89° 53′ 57″ West 15.60′, thence South 50° 14′ 05″ West 155.81′ to point of beginning, being a part of lots 12 and 13, Block 66 as shown on the original plat of the City of Lansing. Containing approximately 1,558 square feet; and

Be It Finally Resolved that the City Clerk is hereby authorized and directed to file the necessary documents with the Ingham County Register of Deeds.

Adopted by the following vote:

Unanimously.

By Committee on PHYSICAL DEVELOPMENT—

Resolved by the City Council of the City of Lansing:

Whereas, the City has held a security deposit of $4,050 since 1977 for construction of curb, gutter, and sidewalks on the south side of Miller Road fronting Marscot Meadows No. 5 Subdivision; and

Whereas, the Public Service Department has no immediate or near future plans to widen or reconstruct this portion of Miller Road, and the Public Service Director and the Mayor have recommended that these public improvements be waived;

Now, Therefore, Be It Resolved the Lansing City Council hereby waives the requirement for construction of curb, gutter, and sidewalk along the south side of Miller Road fronting Marscot Meadows No. 5 Subdivision; and

Be It Further Rseolved the $4,050 being held by the City as financial security on these requirements shall be unfunded to the

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these requirements shall be refunded to the developer, and

Be It Finally Resolved the City Council retains the authority to order these public improvements constructed and the costs assessed to the property owners if a determination of necessity is made in the future.

Adopted by the following vote:

Unanimously.

By Committee on PHYSICAL DEVELOPMENT—

Resolved by the City Council of the City of Lansing:

Whereas, Bancroft Hills No. 3 Subdivision was developed in 1974 by the Walter Neller Company; and

Whereas, this subdivision fronts on Wood Street, but curb, gutter and sidewalk were not constructed along Wood Street because of future plans to widen and reconstruct Wood Street; and

Whereas, the City Council has never officially waived these required improvements; and

Whereas, the Public Service Director and the Mayor have recommended that the requirements for curb, gutter and sidewalk on the east side of Wood Street fronting this plat be waived;

Now, Therefore, Be It Resolved, the Lansing City Council hereby waives the requirement for construction of curb, gutter and sidewalk on the east side of Wood Street fronting the plat of Bancroft Hills No. 3 Subdivision; and

Be It Further Resolved, the City Council retains the authority to order these public improvements constructed and the costs assessed to the property owners if a determination of necessity is made in the future.

Adopted by the following vote:

Unanimously.

By Committee on PHYSICAL DEVELOPMENT—

Resolved by the City Council of the City of Lansing:

Whereas, all public improvement requirements for Hunter's Ridge Subdivision have been completed with the exception of sidewalks along Waverly Road; and

Whereas, the Public Service Director and the Mayor have recommended that the requirement for sidewalks fronting Lots 1 and 2 on the west side of Waverly Road be waived, saying the construction of these walks at this time would serve no purpose;

Now, Therefore, Be It Resolved the Lansing City Council hereby waives the requirement for construction of sidewalks on the west side of Waverly Road fronting Lots 1 and 2 of Hunter's Ridge Subdivision; and

Be It Further Resolved the City Council retains the authority to order these public improvements constructed and the costs assessed to the property owners if a determination of necessity is made in the future.

Adopted by the following vote:

Unanimously.

## PUBLIC IMPROVEMENT III

By Committee on PHYSICAL DEVELOPMENT—

Resolved by the City Council of the City of Lansing:

That the special assessment roll for curb and gutter construction:

Assessment Roll No. 286 C&G
PS 17026

Property Benefited: All lands fronting on Seventh Avenue from Randall Street to Vance Street excepting all public streets and alleys and other lands deemed not benefited.

The revised estimated expense of said improvements based upon construction bids are as follows:

Project Number PS 17026
Assessment Roll No. 286 C&G

| | |
|---|---|
| Intersection and City Contribution | $ 468.75* |
| Assessable to Property Owners | 2,902.50 |
| Total Project Cost | $3,371.25 |

NOTE: This project will be included as part of the 1981 Local Street Curb and Gutter Repair Contract, PS 27041.

*203-456-615-974

returned by the City Assessor be received and placed on file, and the City Clerk be directed to publish a notice thereof by publication in a local newspaper five days in accordance with Section 28-17, of Chapter 28 of the Code of Ordinances.

Resolved further, that the City Council will meet at the Council Rooms on Tuesday, the 8th day of September, 1981, at 7:00 o'clock p.m. for the purpose of reviewing said assessment roll.

I hereby certify that funds are available and encumbered for the City of Lansing's share of said project.

STEPHEN W. DUARTE,
City Controller.

Adopted by the following vote:

Unanimously.

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**PUBLIC IMPROVEMENT III**

By Committee on PHYSICAL DEVELOPMENT—

Resolved by the City Council of the City of Lansing:

That the special assessment roll for sanitary sewers:

Assessment Roll No. 285 San.
PS 68012

Property Benefited: All lands fronting on Aurelius Rd. from existing sewer at Worden St. north to Wayne St. excepting all public streets and alleys and other lands deemed not benefited.

Assessment Roll No. 285 San.
PS 68004 San.

Property Benefited: All lands fronting on Irene St. from Aurelius Rd. to the East end of street excepting all public streets and alleys and other lands deemed not benefited.

Assessment Roll No. 285 San.

Property Benefited: All lands fronting on Wayne St. from Aurelius Rd. to the East line of Lot 24 Culver-Dale Subd. excepting all public streets and alleys and other lands deemed not benefited.

Assessment Roll No. 285 San.
PS 86047

Property Benefited: All lands fronting on Richard Rd. from Edgewood Rd. to the South end (I-96) excepting all public streets and alleys and other lands deemed not benefited.

Project No. PS 68004
Assessment Roll No. 285

**Intersection and City Contribution**

| | |
|---|---|
| Sanitary | $ 1,812.50* |
| Stubs | 0.00 |
| Total Sanitary | $ 1,812.50 |

**Assessable to Property Owners**

| | |
|---|---|
| Sanitary | $74,555.63 |
| Stubs | 6,870.45 |
| Total Sanitary | $81,426.08 |

**Total Project Cost**

| | |
|---|---|
| Sanitary | $76,368.13 |
| Stubs | 6,870.45 |
| TOTAL SANITARY | $83,238.58 |

*590-536-608-974

All projects are a part of the Irene and Other Sanitary Sewers Contract, PS 68004. returned by the City Assessor be received and placed on file, and the City Clerk be directed to publish a notice thereof by publication in a local newspaper five days in accordance with Section 28-17, of Chapter 28 of the Code of Ordinances.

Resolved further, that the City Council will meet at the Council Rooms on Tuesday, the 8th day of September, 1981, at 7:00 o'clock p.m. for the purpose of reviewing said assessment roll.

I hereby certify that funds are available and encumbered for the City of Lansing's share of said project.

STEPHEN W. DUARTE,
City Controller.

Adopted by the following vote:

Unanimously.

**REMARKS BY THE MAYOR'S EXECUTIVE ASSISTANT**

No remarks.

**REMARKS BY THE CITY COUNCIL**

Councilman Adado spoke in regard to the sidewalks on south side of Main St.-Capitol Ave. extended and asked that this be referred to the Committee on Physical Development.

Councilman Blair spoke in regard to the Riverfest "81" and the many activities that will be held over the Labor Day weekend.

By COUNCILMAN LINDEMANN—

Resolved by the City Council of the City of Lansing:

That the rules of the Council be waived for the purpose of presenting items that are not listed on the agenda.

Carried.

Request from Riverfest "81" requesting permission to secure a beer license for each of four days September 4-7, 1981 in connection with the second annual Riverfest.

Referred to Committee on General Services.

By Committee on GENERAL SERVICES—

Resolved by the City Council of the City of Lansing:

Whereas, the 2nd Annual Riverfest, Riverfest '81, is scheduled for September 4th through September 7th; and

Whereas, Riverfest is now a registered non-profit corporation; and

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Whereas, Riverfest has requested the Council's approval for the operation of a beer tent on the west bank of the Grand River in Riverfront Park for the duration of this event, within the specified hours; now

Therefore Be It Resolved, the City Council of the City of Lansing hereby authorizes the operation of a beer tent at Riverfest '81 provided all appropriate city departments are notified.

Adopted by the following vote:

Yeas: Councilmen Adado, Belen, Blair, Gunther, Lindemann, McKane, Worthington—7.

Nays: Councilman Brenke—1.

By COUNCILMAN McKANE—

Resolved by the City Council of the City of Lansing:

Whereas, the Riverfest "81" Committee has requested permission to hold a water ball competition for area Fire Department teams in the section of Alex's parking lot north of the alley drive on Sunday, September 6th between 3:00 and 5:00 p.m.

Now, Therefore, Be It Resolved, that the City Council approves this event at the location and time requested.

Adopted by the following vote:

Unanimously.

Wm. Smith, 1501 W. Hillsdale, spoke relative Kingsley Ct. property.

By COUNCILMAN BELEN—

That this meeting stand adjourned.

Carried.

Council adjourned at 8:17 p.m.

THEO FULTON,
City Clerk.

Lansing, Michigan

August 17, 1981

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# OFFICIAL PROCEEDINGS OF BOARD OF CANVASSERS OF THE CITY OF LANSING

## Proceedings of August 5, 1981

August 5, 1981

10:00 A.M.

The City Board of Canvassers of the City of Lansing met in the Council Chambers of the Tenth floor of the City Hall on Wednesday, August 5, 1981, to canvass the returns of the City Primary Election held on Tuesday, August 4, 1981.

Present: Ralph S. Swan, Doris A. Bailey, Edward J. Piloski, Louis G. Klimecky and Theo Fulton, City Clerk—5.

Absent: None.

The Board canvassed the votes with the following results:

MAYOR

The whole number of votes cast for the office of Mayor was 13,512 of which:

| | |
|---|---|
| Terry J. McKane received | 5,223 |
| George S. Lokken received | 3,934 |
| Alan E. Tubbs received | 2,887 |
| John Asiff received | 843 |
| Orrin E. Sharp received | 625 |

Terry J. McKane and George S. Lokken having received the largest number of votes cast be declared duly nominated.

CITY CLERK

The whole number of votes cast for the office of City Clerk was 12,897 of which:

| | |
|---|---|
| Rita M. Bauman received | 5,102 |
| Stephanie L. Sabia received | 3,749 |
| Bruce W. Stark received | 2,840 |
| Arturo Gonzales received | 1,206 |

Rita M. Bauman and Stephanie L. Sabia having received the largest number of votes cast be declared duly nominated.

SECOND WARD COUNCILMAN

The whole number of votes cast for the office of Second Ward Councilman was 3,536 of which:

| | |
|---|---|
| Alfreda Schmidt received | 1,942 |
| Richard Lilly received | 995 |
| Kevon Hogan received | 599 |

Alfreda Schmidt and Richard Lilly having received the largest number of votes cast be declared duly nominated.

FOURTH WARD COUNCILMAN

The whole number of votes cast for the office of Fourth Ward Councilman was 3,568 of which:

| | |
|---|---|
| Marvin Ray received | 1,287 |
| Charles Creamer received | 806 |
| Gerald C. Beckwith received | 653 |
| Kevin M. Thom received | 579 |
| Robert K. Wilson received | 243 |

Marvin Ray and Charles M. Creamer having received the largest number of votes cast be declared duly nominated.

PROPOSAL A —

EXCHANGE OF PROPERTY

The whole number of votes cast for Proposal A—Exchange of Property was 11,972 of which:

9,098 votes were cast in favor of the proposal

2,874 votes were cast against the proposal

Whereas, the proposal having received sufficient number of votes was passed.

The meeting adjourned at 12:00 noon.

In Witness Whereof, We have hereunto set our hands and affixed the seal of the City of Lansing on this 5th day of August in the year of One Thousand Nine Hundred and Eight-One.

RALPH S. SWAN,
Chairman,

DORIS A. BAILEY,
EDWARD J. PILOSKI,
LOUIS G. KLIMECKY,
Board of Canvassers.

(SEAL) Attest:

THEO FULTON,
Clerk of Board of Canvassers.

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CITY CLERK'S OFFICE
Room 921, City Hall
Lansing, Michigan 48933

Address Correction Requested

BULK RATE
U. S. POSTAGE
PAID
Permit No. 1461
Lansing, Michigan



# OFFICIAL PROCEEDINGS OF
# THE CITY COUNCIL
## OF THE CITY OF LANSING

## Proceedings, August 24, 1981

CITY COUNCIL ROOMS

Lansing, Michigan

August 24, 1981

The City Council of the City of Lansing, Michigan, met in regular session and was called to order by President Belen.

Present: Councilmen Adado, Belen, Blair, Brenke, Gunther, Lindemann, McKane, Worthington—8.

Absent: None.

The Clerk announced that a quorum of the Council was present.

Invocation was given by Councilman Adado.

Pledge of Allegiance was led by Councilman Adado.

By COUNCILMAN ADADO—

That the council proceedings of August 3, 1981 be approved.

Carried.

Mr. Ed. Lewis spoke in regard to Riverfest "81" and presented Mr. Mike Motz who played a song in honor of the Riverfest.

### PUBLIC HEARING

August 24, 1981, at 7:00 o'clock being the time set as the time for holding a public hearing on the proposed demolition of a building at 1032 N. Pine St.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed demolition they had the privilege of speaking at this time.

Richard Hill, 945 N. Pine St., member of Walnut area ACORN, spoke.

Referred to Committee on General Services.

### PUBLIC HEARING

August 24, 1981 at 7:00 o'clock being the time set as the time for holding a public

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hearing on the proposed demolition of property at 531 N. Walnut St.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed demolition they had the privilege of speaking at this time.

Referred to Committee on General Services.

## PUBLIC HEARING

August 24, 1981 at 7:00 o'clock being the time set as the time for holding a public hearing on the proposed Commercial Redevelopment Exemption Certificate for Capitol Park Motor Hotel, Inc., 500 S. Capitol Avenue.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed certificate they had the privilege of speaking at this time.

Referred to Committee on Economic Development.

**THE PUBLIC MAY NOW ADDRESS THE CITY COUNCIL ON ANY OF THE FOLLOWING ITEMS LISTED ON THE AGENDA: COMMUNICATIONS AND PETITIONS, COMMITTEE REPORTS, REPORTS OF CITY OFFICERS AND BOARDS, AND RESOLUTIONS. YOU MAY SPEAK ONLY FOR 3 MINUTES ON ANY ONE ITEM.**

The following persons spoke:

John Pennell, 916 Raider St., member of Holmes St. Area Citizens Alliance/ACORN, spoke.

Resident of 921 Raider St.

Carol Prince, 630 S. Dexter Dr.

Gregory Byrd, 648 S. Foster St., spoke—owner of 1032 N. Pine St.

Wm. Smith, 1301 W. Hillsdale.

Jackie Pennell, 916 Raider.

## COMMUNICATIONS AND PETITIONS

The following applications and bonds have been filed for licenses:

HEATING/AIR CONDITIONING —

Garno Bros. Heating, All Season's Engineering.

RUBBISH HAULER —

James C. Dothard.

PUBLIC DRIVERS —

David John Darling, James T. Reid, William Leath Alexander.

Referred to Committee on General Services.

Claim filed by Kathy Hallgren requesting action be taken on her claim of July 31, 1980 for damage to her automobile at the S. Capitol Parking Ramp resulting from repair work being done.

Referred to Mayor, City Attorney.

Fishbeck, Thompson, Carr & Huber, Inc., submits request for preliminary approval on the Plat of Berkey Industrial Park.

Referred to Mayor, Planning Board.

Request from the ACORN Group for time on the agenda concerning the house at 920 Raider St.

Received and placed on file.

Liquor Control Commission submits request from DeLuca Brothers, Inc., for transfer of ownership of 1981 Class "C" licensed business located at 2006 W. Willow St. from Helen and Pat DeLuca.

Referred to Mayor, Committee on General Services.

Request from the Mexican Patriotic Committee of Lansing for permission to sell beer and wine at the Mexican Festival — Riverfront Park — September 12-13, 1981.

By COUNCILMAN GUNTHER—

That we concur in the request provided that all requirements are met.

Adopted by the following vote:

Yeas: 7.

Nays: 1.

Thomas C. Hacker, Lansing Jaycees, 1981 Oktoberfest Committee submits change in hours of operation for the 6th annual Oktoberfest.

Referred to Mayor.

Letter from Ms. Lisa Wirbel in regard to the improvements at Potter Park.

Received and placed on file.

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Request from David and Jackie Walton for extension of land contract for property at 4632 Pleasant Grove Rd. for an additional five year period.

Referred to Mayor.

Letter from John P. Miller at 2420 Stirling Avenue in regard to fence that is erected on his property.

Referred to Mayor.

Letter from Brenda and William Lake in regard to fence that is erected at property—1012 Kelsey Avenue.

Referred to Mayor.

Notice from Larmour Investments N.Y. that they intend to convert the property commonly known as the Spruce Lane Apartments to a condominium project.

By COUNCILMAN BELEN—

That the City Clerk forward this letter to the Delta Township Clerk.

Carried.

Department of Natural Resources submits flood plain permit for Mr. Russell Hinkel.

Received and placed on file.

Industrial Pretreatment Program submits a pretreatment progress report.

Received and placed on file.

**MAYOR'S EXECUTIVE ASSISTANT COMMENTS ON ANY ITEM ON THE AGENDA:**

Mr. Black calls attention to Mayor Graves' letters c and d.

**REPORTS OF COMMITTEES**

The Committee on GENERAL SERVICES approves the following applications and bonds for licenses:

HEATING/AIR CONDITIONING —

Garno Bros. Heating, All Season's Engineering.

RUBBISH HAULER —

James C. Dothard.

PUBLIC DRIVERS —

David John Darling, James T. Reid, William Leath Alexander.

Signed:

WILLIAM A. BRENKE,
PAT LINDEMANN,
TERRY J. McKANE,
Committee on General Services.

By COUNCILMAN BRENKE—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

The Committee on PHYSICAL DEVELOPMENT, to whom was referred the rezoning petition Z-18-81 — 1224 East Miller Rd. from "A" One Family Residential District to "DM-1" Multiple Family Residential District, reports as follows:

That said rezoning be approved.

Signed:

SIDNEY P. WORTHINGTON,
LUCILE BELEN,
WILLIAM A. BRENKE,
Committee on Physical Development.

By COUNCILMAN WORTHINGTON—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

The Committee on PHYSICAL DEVELOPMENT, to whom was referred the rezoning petition Z-19-81 — 4903 N. Grand River Avenue, from "C" Two Family Residential and "E-2" Drive-In Shop Districts to "F" Commercial District, reports as follows:

That said rezoning be approved.

Signed:

SIDNEY P. WORTHINGTON,
LUCILE BELEN,
WILLIAM A. BRENKE,
Committee on Physical Development.

By COUNCILMAN WORTHNIGTON—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

The Committee on PHYSICAL DEVELOPMENT, to whom was referred the rezoning petition Z-20-81 for property at 6327 Grovenburg Road from "A" One Family

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Residential District to "C" Two Family Residential District, reports as follows:

That said rezoning be approved.

Signed:

SIDNEY P. WORTHINGTON,
LUCILE BELEN,
WILLIAM A. BRENKE,
Committee on Physical Development.

By COUNCILMAN WORTHINGTON—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

## REPORTS OF CITY OFFICERS AND BOARDS

DATE: 8/14/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Building Safety & Development Director. Re: Grass Cutting Assessment for December 1981 Tax Roll (L-20).

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

By COUNCILMAN LINDEMANN—

That we concur in the recommendation of the Mayor and said assessments be placed on the December 1981 tax roll.

Carried.

DATE: 8/19/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Director of Building Safety and Development. Re: Trash Removal Assessment.

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

By COUNCILMAN LINDEMANN—

That we concur in the recommendation of the Mayor and said assessments be placed on the December tax roll.

Carried.

August 17, 1981

Council President Lucile Belen and
Members of the Lansing City Council

10th Floor, City Hall

Lansing, Michigan 48933

Dear Council President and Members:

Please be advised that the City of Lansing has been notified by the Detroit Area Office of the U. S. Department of Housing and Urban Development that the City's entitlement for Fiscal Year 1982-83 of the Community Development Block Grant Program will be reduced by approximately ten percent. This would represent a reduction of $207,500 from the current fiscal year allocation of $2,075,000 to an estimated $1,867,500. The correspondence indicates that this reduction is due to an approximate six percent cutback in CDBG funding and an increase of entitlement localities based on the 1980 census. The final 1982-83 entitlement formula allocations are expected about February, 1982.

The above is submitted for your information.

Sincerely,

GERALD W. GRAVES,
Mayor.

Received and placed on file with copy to Committee on Ways and Means.

August 21, 1981

Council President Lucile Belen and
Members of the Lansing City Council

10th Floor, City Hall

Lansing, Michigan 48933

Dear Council President and Members:

As you are aware from recent communications from my office, the revenue situation for the City has worsened since the budget was adopted. We have received a $178,000 reduction as our part of Michigan's overall reduction in Federal Revenue Sharing. The State Legislature eliminated $170,900 for fire service reimbursement to protect State property, and that was only partial funding to begin with, and it is doubtful whether it will be restored.

The State has also eliminated $150,000 in Intangible tax reimbursement in each of the past two years and is expected to do so again.

Our City income tax revenues came in approximately $500,000 below the downwardly revised estimate in the budget in March, and I could go on and on. If you summarize just these known losses, plus the $207,500 estimated reduction in Community Development funds, our total revenues will be down $1,206,400.

I request, therefore, that your attentions be directed to this matter, and, once again

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to the comments contained in my State of the City Message, date of January 26, 1981; my Budget Message, date of April 13, 1981; and, the informational message dealing with Federal Revenue, date of June 23, 1981.

Same will reacquaint you with the problems in the funding of City operations, projected over the next two years. I will, following the completion of the FY 1980 audit, be making a comprehensive report and recommendations to you in recognition of the growing fiscal crunch in the City. We must recognize and respond to this reality. It cannot be ignored unless you want to be faced with a complete fiscal crisis by the beginning of the next fiscal year.

Sincerely,

GERALD W. GRAVES,
Mayor.

Referred to Committee on Ways and Means and Committee of the Whole.

August 20, 1981

Council President Lucile Belen and
Members of the Lansing City Council

10th Floor, City Hall

Lansing, Michigan 48933

Dear Council President and Members:

Please find attached correspondence from Impression 5 Museum which, in summary, is requesting the City of Lansing to contribute $50,000 toward a $100,000 challenge grant the Museum has received from Kresge Foundation. The grant is received only if Impression 5 is able to raise $160,000 in matching funds by December 1981, according to the letter.

This request was reviewed by my staff in a meeting last week with the Impression 5 Executive Director and several members of their Board of Directors. At that meeting, the City's general financial situation was discussed as well as the fact that the City Council policy allocating 1% of the City budget to human services has already been appropriated and contracted for among various agencies. Included among the City's human service contracts was $7,000 for Impression 5. This agency has received substantial funding from both the General Fund and the City's Comprehensive Employment and Training Act (CETA) program over the past several years.

City Council is aware of various budget shortfalls which have occurred since the current fiscal year budget was adopted last May. In particular, I would point to the reduction from the State of Michigan in fire protection revenues, the shortfall in City income tax revenues for the fiscal year just ended (which provides the current year projection), and the recently-announced reduction expected in Community Development Block Grant funds. Because of these budget problems which in many ways impact the current fiscal year budget, I wish to inform City Council that I am reconvening the Mayor's budget committee within the next 60 days to begin a series of activities to save additional funds from the current fiscal year budget. This should help to somewhat reduce the impact of the sharper reductions expected for the Fiscal Year from July 1, 1982 to June 30, 1983.

For this reason, I have decided to table the request from Impression 5 until the budget reviews begin for the upcoming fiscal year. All funds appropriated for this type of request have already been committed in the current fiscal year and there is no capacity for a request of this magnitude elsewhere in the current fiscal year. Indeed, I believe that sizeable reductions must be made in the budget already adopted to create additional residuals going into the next fiscal year.

Additionally, I believe requests of this nature must be considered as part of the City's normal budget process which begins in December each year, and I have transmitted this to the Budget Director to be included in that review at that time.

The letter is transmitted for your information.

Sincerely,

GERALD W. GRAVES,
Mayor.

Referred to Committee on Ways and Means.

August 11, 1981

Council President Lucile Belen and
City Council Members

10th Floor, City Hall

Lansing, Michigan 48933

Dear Council President Belen
and Council Members:

During the past year, I have become concerned that the schedule of development of the annual Capital Improvements Budget and the preparation of the Capital Development Plan do not blend and thus reduce their mutual link and therefore, their effectiveness. Also, the inclusion in the Capital Development Plan of "guesstimated" costs and funding sources can be misleading to policy makers and more particularly to the public. I have therefore, instructed the Capital Improvements Technical Coordinating Committee to review these issues and make their recommendations for improvement of the development and review process.

They have spent considerable time and effort and have unanimously recommended several modifications that I feel will substantially improve the utility of the Capital Development Plan and the technical recommendation process on the annual Capital Improvements Budget. I have concurred in and adopted their recommendations. I am providing this to you at this time for your

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information. I feel that you might have considerable interest in how these processes operate at the Administrative level since they impact the material that ultimately is presented to you. In light of this fact, I feel that you might wish a briefing on this either in the Committee of the Whole or in Physical Development and Ways and Means. If you do, please contact my office.

Sincerely,

GERALD W. GRAVES,
Mayor.

Received and placed on file.

August 19, 1981

Council President Lucile Belen and
Members of the Lansing City Council

10th Floor, City Hall

Lansing, Michigan 48933

Dear Council President and Members:

Pursuant to your Resolution of June 29, 1981, the administrative staff has reviewed all available data and determined the current cost of providing each unmarked automobile in the City's fleet, surveyed both the public and private sectors in Michigan and recommended a revised mileage reimbursement rate, analyzed the unmarked automobile fleet and determined which vehicles are not cost-effective, developed comprehensive procedures for administering the fleet reduction, and made a financial impact assessment of the proposal. I have attached portions of the report, which was prepared for my office, concerning the staff methods used to determine vehicle cost, reimbursement rate, and financial impact for your information.

Based on the staff report, I have directed that the following actions be taken:

1. That the mileage reimbursement rate be set at 22¢/mile and that an appropriation request be prepared to cover the anticipated cost of the reimbursement for the remainder of the fiscal year.

2. That the existing City unmarked automobile fleet be reorganized so as to assure that the most efficient vehicles are assigned to the highest mileage drivers.

3. That those unmarked automobiles which do not currently operate at a cost below 22¢/mile be deleted from the fleet, unless they otherwise qualify for retention under one of the exemptions provided in the Council Resolution of June 29, 1981.

4. That all departmental requests for exemptions to the cost, vehicle home storage, and/or vehicle marking policies be submitted to the Director of Administrative Services by August 28, 1981.

5. That final determination of the size of the unmarked fleet, vehicles which can be driven home, vehicles which will be marked, the size and location of the enlarged vehicle pool, parking location for those employees displaced from the City Hall basement, and the appropriation to cover all start-up costs be made so that actual implementation (i.e., literal deletion of vehicles, etc.) can occur on November 12, 1981.

The staff study was a massive undertaking, but it demonstrated that, even when the fleet is reorganized for efficiency, 85 of the 130 unmarked automobiles currently in operation are not cost-effective at a mileage reimbursement rate of 22¢/mile. Given the very strict criteria which must be met to gain an exception to that "cost test," we do not anticipate that many of those vehicles will be retained in the fleet. Of course, some of the 85 vehicles are currently pool cars which will be, at least initially, retained until the size of the pool is stabilized. It should be emphasized, however, that pool car use will not be permitted for fulltime permanent or fulltime temporary assignments and that we intend to operate a pool of absolutely minimum size. It is clear that operating a pool which approximates or approaches the size of the current unmarked fleet would be considerably more costly than our current mode of operation. The staff estimated annual savings of $103,900 and a one-time gain at implementation of $120,450.

Appropriation requests will be forthcoming, and at that time we will report to you the final of the fleet reassessment.

Sincerely,

GERALD W. GRAVES,
Mayor.

Referred to the Special Vehicle Committee.

August 18, 1981

Council President Lucile Belen and
Members of the Lansing City Council

10th Floor, City Hall

Lansing, Michigan 48933

Dear Council President and Members:

Recently this office was advised that the Economic Development Corporation project known as the "Jury Rowe Building" has been changed to the "Martin Office Building Project." Therefore, I am requesting your consideration and confirmation of Kathryn Haar and Howard Spence to serve as Temporary Directors on the Martin Office Building Project. Ms. Haar and Mr. Spence had previously been confirmed to serve as Temporary Directors for the Jury Rowe Building Project and currently serve on other EDC projects.

Trusting this recommendation meets with your approval, I remain

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Sincerely,

GERALD W. GRAVES,
Mayor.

Referred to Committee on Economic Development.

August 18, 1981

Council President Lucile Belen and
Members of the Lansing City Council

10th Floor, City Hall

Lansing, Michigan 48933

Dear Council President and Members:

In accordance with Ordinance No. 559, an ordinance which provides for the selection and terms of office for Citizens' District Council No. 3 (Northside), the below listed have been submitted to me, by the CD staff, as persons interested in serving on said Council:

Vickie Chamberlain
Eleanor Smith
Emily Mae Gonzales
Gregoria Gonzales
Virginia Pierce
Agnes Ziegler

For your consideration and confirmation to serve, I am submitting the following to fill the two current vacancies:

**Neighborhood Development Area —
Term Expiring May 5, 1984:**

Vickie Chamberlain
1504 Massachusetts
Lansing, Michigan
Unlisted Phone

Vickie has lived in the area for five years. She is employed at Oldsmobile, is an L.C.C. student and is on the Board of Directors for the Lansing Theatre Project.

**Peripheral Area —
Term Expiring May 5, 1984:**

Emily Mae Gonzales
1109 David Street
Lansing, Michigan
Phone: 482-4123

Emily has lived at this address all her life. She is a teacher's aide at the Happy Day Care Center. She is president of the Youth Club at Cristo Rey Church.

Trusting these recommendations meet with your approval, I remain

Sincerely,

GERALD W. GRAVES,
Mayor.

Referred to Committee on Physical Development.

DATE: 8/20/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Planning Director. Re: 1516 N. High Street — Acquisition and Demolition.

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Physical Development.

DATE: 8/20/81

TO: Council President and
Members of Lansing City Council

FROM: Gerald W. Graves, Mayor

SUBJECT: Request for installation of three way stop sign at Wabash Road and Leawood Drive.

The attached communication, from the Traffic Engineer, regarding the above-mentioned, is forwarded to you for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Public Property and Safety.

DATE: 8/20/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Traffic Engineer. Re: Request for change in parking restrictions — 1235 N. Center St.

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Public Property and Safety.

DATE: 8/20/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Traffic Engineer. Re: Request from citizens in NDA No. 3 to reduce speeders in alley which runs north of Pennsylvania Avenue between Grand River and North Street.

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The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Public Property and Safety.

DATE: 8/20/81

TO: Council President and Members of Lansing City Council

FROM: Gerald W. Graves, Mayor

SUBJECT: Parking on west side of Capitol Avenue south of Washtenaw.

The attached communication, from the Traffic Engineer, regarding the abovementioned, is forwarded for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Public Property and Safety.

DATE: 8/20/81

TO: Council President and Members of the Lansing City Council

FROM: Gerald W. Graves, Mayor

SUBJECT: Request for installation of stop signs at three locations: Cambrey and Meadowlane, Colchester and Meadowland, Colchester and Newport.

The attached communication, from the Traffic Engineer, regarding the abovementioned, is submitted for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Public Property and Safety.

DATE: 8/20/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Traffic Engineer. Re: Request to install a stop sign at intersection of Donald and Potter and Donald and Everettdale.

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Public Property and Safety.

DATE: 8/20/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Traffic Engineer. Re: Parking on Mill Street.

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Public Property and Safety.

DATE: 8/20/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Operations Analyst. Re: Sale of vacant lot — 1302 W. St. Joseph.

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Physical Development.

DATE: 8/20/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Public Service Director. Re: Vacation of Alley — PS 46073 — 15 ft. east-west between Washington Avenue and Teel Avenue.

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Public Property and Safety.

August 20, 1981

Council President Lucile Belen and
Members of the Lansing City Council

10th Floor, City Hall

Lansing, Michigan 48933

Dear Council President and Members:

At the request of Mrs. Beverly Howlett, representing the Walnut area ACORN organization, my office has contacted Conrail

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regarding Conrail's failure to maintain its property at the end of Knollwood, Roosevelt, and Lansing avenues. Mrs. Howlett, in her presentation before City Council on Monday, August 10, 1981, indicated that a representative of Conrail committed to her that Conrail would reimburse the City of Lansing for any expenses incurred to maintain this property. Mrs. Howlett subsequently indicated to my office that the individual she had spoken with was Mr. Jim Stump of the Division Engineer's Office in Jackson, Michigan. When my office contacted Mr. Stump, his comments were quite to the contrary. Mr. Stump indicated that the City of Lansing should formally notify Conrail of its failure to maintain this property. Mr. Stump indicated that Conrail would take no action upon receipt of that notification. He said if the City of Lansing cleaned up this property and attempted to specially assess Conrail for the costs of this clean up, that Conrail would fight this special assessment through regular court proceedings.

There has been no rail activity on this spur for at least the past 18 months. Since the spur services only one customer, Federal law provides that Conrail may ask the customer (Consumers Power) to purchase this property. If the customer declines, Conrail may begin abandonment procedures on the property, in which case the property would be vacated in accordance with State law. Mr. Stump explained that this procedure normally takes at least one year.

City Council should consider what action, if any, is desired from City staff at this time.

Sincerely,

GERALD W. GRAVES,
Mayor.

Referred to Committee of the Whole.

## RESOLUTIONS

By COUNUCILMAN BELEN—

Resolved by the City Council of the City of Lansing:

Whereas, the Osnabrücker Jugend-Sinfonieorchester of Osnabrück, West Germany is touring Michigan as part of the Blue Lake Fine Arts Camp International Program; and

Whereas, Osnabrücker Jugend-Sinfonieorchester visited Lansing, Michigan, from August 22, 1981 to August 24, 1981; and

Whereas, Osnabrücker Jugend-Sinfonieorchester under the direction of Klaus Lassmann and Rolf Lieske performed in public concert for the enjoyment of Lansing residents and the members exhibited their desire for international friendship and goodwill through home visits with Lansing area residents; and

Whereas, Osnabrücker Jugend-Sinfonieorchester has demonstrated a superior and highly commendable commitment to the fine arts and international friendship and goodwill;

Now, Therefore, Be It Resolved that the Lansing City Council commends and congratulates Osnabrücker Jugend-Sinfonieorchester for their outstanding accomplishments and declares Sunday, August 23, 1981 as:

OSNABRÜCKER
JUGEND-SINFONIEORCHESTER DAY
IN LANSING

and;

Be It Further Resolved, that a copy of this resolution be presented to Klaus Lassman, Rolf Lieske, and Osnabrücker Jugend-Sinfonieorchester as evidence of the high regard in which they are held by the people of the City of Lansing.

Adopted by the following vote:

Unanimously.

By COMMITTEE OF THE WHOLE—

Resolved by the City Council of the City of Lansing:

Whereas, the R. E. Olds Musecm is a very special museum dedicated to the automobile and the men and women who manufactured it; and

Whereas, the R. E. Olds Museum is a recreational, educational and cultural asset to the entire Capitol Region illustrating the progress of transportation and specifically its development in the Lansing area; and

Whereas, the museum's purpose of collecting and exhibiting articles of historical significance in the transportation industry will bring many more people to our City's developing riverfront; and

Whereas, many segments of this community have worked effectively and cooperatively since the idea of the museum was first conceived; now

Therefore Be It Resolved, the City Council of the City of Lansing hereby extends its heartiest congratulations to the R. E. Olds Museum located at 240 Mill Street on the occasion of its official Grand Opening on August 21st, 1981.

Adopted by the following vote:

Unanimously.

By Committee of THE WHOLE—

Resolved by the City Council of the City of Lansing:

Whereas, Margaret Groves has served her initial term on the Lansing Board of Ethics; and

Whereas, she has demonstrated both her ability and willingness to serve; and

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Whereas, the Charter charges the City Council with the responsibility of appointing the three public members of the board;

Now, Therefore, Be It Resolved the City Council of the City of Lansing hereby reappoints Margaret Groves to serve on the Board of Ethics for a term to expire June 30th, 1984.

Adopted by the following vote:

Unanimously.

By Committee on PUBLIC PROPERTIES AND SAFETY—

Resolved by the City Council of the City of Lansing:

Whereas, the office of the Mayor has been notified of a vacancy on the Civic Center Board; and

Whereas, the Mayor has submitted the name of Ms. Priscilla Lane to fill the vacancy; and

Whereas, the Committee on Public Properties and Safety interviewed Ms. Lane on August 18, 1981; now

Therefore Be It Resolved, the City Council of the City of Lansing hereby confirms and approves the appointment of Priscilla Lane to fill the vacancy on the Civic Center Board for a term which expires in June of 1982.

Adopted by the following vote:

Unanimously.

By Committee on PUBLIC PROPERTIES AND SAFETY—

Resolved by the City Council of the City of Lansing:

Whereas, the North Lansing Fun Fest which usually occurs in June was not held this summer; and

Whereas, the North Lansing Community Association and the citizens of North Lansing are enthused about having a special event; and

Whereas, 1981 is a special year for North Lansing as thousands of trout and salmon planted three years ago will be returning to the Grand River to climb the nearly completed William A. Brenke Fish Ladder; and

Whereas, the North Lansing Fish Fest is scheduled for September 18th through 20th;

Now, Therefore, Be It Resolved the City Council of the City of Lansing hereby authorizes the City's co-sponsorship of the 1981 North Lansing Fish Fest; and

Be It Further Resolved, the Administration is directed to assign adequate, appropriate City staff persons to work with the North Lansing Community Association to insure the success of our first North Lansing Fish Fest.

Adopted by the following vote:

Unanimously.

By Committee on PUBLIC PROPERTIES AND SAFETY—

Resolved by the City Council of the City of Lansing:

Whereas, traffic volume, speed, and the safety of children have always been of concern to the members of the City Council; and

Whereas, the signing at the corner of Reo Road and Ingham Street has been subject of much discussion; and

Whereas, a child was killed last year on Reo Road near the Ingham intersection; and

Whereas, the Committee on Public Properties and Safety has reviewed this matter carefully; now

Therefore Be It Resolved, the City Council of the City of Lansing hereby authorizes the administration through its Traffic Division to proceed with the installation of four way stop signs at the intersection of Reo Road and Ingham Street.

Adopted by the following vote:

Unanimously.

By Committee on PUBLIC PROPERTIES AND SAFETY—

Resolved by the City Council of the City of Lansing:

Whereas, the City Council passed a resolution on July 27, 1981, regarding the sale of property located on Raymond Drive in the City of Lansing to Hamco Corporation; and

Whereas, there was some confusion regarding the conditions of sale and deed restrictions required by the City; now

Therefore Be It Resolved, the City Council of the City of Lansing hereby amends resolution 4 C of the July 27, 1981 regular City Council meeting as follows:

In the third Resolved clause after the word "with," delete the remainder of the clause and replace it with "two dirveways, one 20 feet wide and the one to the north limited to a width of 10 feet for ingress and egress; and"

Adopted by the following vote:

Unanimously.

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By PHYSICAL DEVELOPMENT Committee—

Resolved by the City Council of the City of Lansing:

Be It Resolved by the Lansing City Council that the confirmation of Mr. Ernest (Sam) Pardee to fill the vacancy on the Public Service Board for a term expiring June of 1985 is hereby confirmed as recommended by the Mayor.

Adopted by the following vote:

Unanimously.

By COUNCILMAN WORTHINGTON—

Resolved by the City Council of the City of Lansing:

P-8-81
Final Plat of Irish Gardens

Whereas Mr. Arthur Irish has requested final approval of a subdivision plat to be known as Irish Gardens; and

Whereas the Planning Board has reviewed said plat, found it to be in substantial conformance with the preliminary plat, and recommended approval subject to conditions; and

Whereas the Physical Development Committee of City Council, to whom the report of the Planning Board was referred, concurs therewith;

Now, Therefore, Be It Resolved that the Council of the City of Lansing hereby approves the final plat of Irish Gardens, subject to the following conditions:

1) That a Deed or Abstract of Title, accompanied by an attorney's opinion as to the marketability of the land, or a Certificate of Title Insurance, be submitted to the City Clerk prior to the filing of the plat and the affixing of the Municipal Seal.

2) That final security be posted in the amount specified by the Public Service Department and the Department of Parks and Recreation.

3) That final clearance from the Board of Water and Light for the development be obtained.

4) That easements be recorded and shown on the face of the plat as required by all utilities.

5) That all conditions of approval by the responding agencies be complied with, and adhered to as stated at the time of review and approval of the preliminary plat; and

Be It Further Resolved that the Clerk be, and she is hereby, directed to notify the proprietor(s) of the plat and the surveyor(s) of the land of this approval and the conditions thereof.

Adopted by the following vote:

Unanimously.

## PUBLIC IMPROVEMENT III

By Committee on PHYSICAL DEVELOPMENT—

Resolved by the City Council of the City of Lansing:

That the special assessment roll for Midwood-Renee Storm Sewer:

Assessment Roll No. 287 Storm
PS 74064

Property Benefited: All lands fronting on Midwood St. between Pleasant Grove Road and Wise Road excepting all public streets and alleys and other lands deemed not benefited.

Assessment Roll No. 287 Storm
PS 74066

Property Benefited: All lands fronting on Renee Street from Midwood Street to the south end excepting all public streets and alleys and other lands deemed not benefited.

Assessment Roll No. 287 Storm
PS 17014

Property Benefited: All lands fronting on Orchard Glen Avenue from N. East Street (US-27) to the East end of street excepting all public streets and alleys and other lands deemed not benefited.

The revised estimated expense of said improvements based upon construction bids are as follows:

Propect No. PS 74064
Assessment Roll No. 287

| | |
|---|---|
| Intersection and City Contribution | $66,441.25* |
| Assessable to Property Owners | 32,068.75 |
| Total Project Cost | $98,510.00 |

*Acct. 101-936-617-973

returned by the City Assessor be received and placed on file, and the City Clerk be directed to publish a notice thereof by publication in a local newspaper five days in accordance with Section 28-17, of Chapter 28 of the Code of Ordinances.

Resolved further, that the City Council will meet at the Council Rooms on Monday, the 14th day of September, 1981, at 7:00 o'clock p.m. for the purpose of reviewing said assessment roll.

I hereby certify that funds are available and encumbered for the City of Lansing's share of said project.

All projects will be included in the Midwood-Renee Storm Sewer Contract, PS 74064.

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CHARLES S. REMENAR,
Deputy City Controller.

Adopted by the following vote:

Unanimously.

## ZONINGS

By COUNCILMAN WORTHINGTON—

Whereas, it is deemed desirable to amend the Classification provided for in the Zoning Code of the City of Lansing, passed on the 13th day of November, 1958, in the following particulars, viz:

That property described as:

Z-24-81 — 2519 N. Grand River Ave.,

be re-zoned from "F" Commercial District to "G-2" Wholesale District and the "Map" be changed to indicate such transfer;

Therefore, be it resolved, that the City Clerk shall give at least fifteen days notice of a Public Hearing when all persons interested may attend and make any objections they may have to such proposed changes in said Zoning Code.

Resolved further, that such hearing shall be held at the Council Chamber in the City Hall on the 14th day of September, 1981, at 7:00 o'clock p.m., and that notice of such hearing be published in the official publication of said city, as required by law.

Adopted by the following vote:

Unanimously.

By COUNCILMAN WORTHINGTON—

Whereas, by petition duly filed on the 4th day of May, 1981, this council was petitioned to change the following described property from "B" One Family Residential District to "D-1" Professional Office District all as set forth in the Zoning Code of this city, and

Whereas, due notice as required by law has been given for a public hearing on said petition, and

Whereas, at such hearing held on the 10th day of August, 1981, all parties interested therein were heard and given due consideration, and

Whereas, the property involved is described as:

Z-17-81 — 1226 West Mt. Hope Ave.

More particularly described as:

Parcel No. 3301-20-457-081

Lot 4 of Fosmor Subdivision, a part of the southwest ¼ of the southeast ¼ of Section 20, T4N, R2W, City of Lansing, Ingham County, Michigan,

from a "B" One Family Residential District to a "D-1" Professional Office District;

Whereas, pursuant to Act 207, Public Acts of 1921 as amended, the Planning Board advised City Council to deny the request; and

Whereas the Physical Development Committee of City Council has reviewed the report of the Planning Board and does concur therewith;

Now, Therefore, Be It Resolved that the Council of the City of Lansing ordains that the request to rezone the above described property from "B" One Family Residential District to "D-1" Professional Office District be denied; and

Be It Further Resolved that the City Clerk be, and she is hereby, directed to notify the applicant of this action.

Adopted by the following vote:

Unanimously.

Councilman Blair left the session.

By COUNCILMAN WORTHINGTON—

Whereas, by petition duly filed on the 11th day of May, 1981, this council was petitioned to change the following described property from "A" One Family Residential District to "DM-1" Multiple Family Dwelling District all as set forth in the Zoning Code of this city, and

Whereas, due notice as required by law has been given for a public hearing on said petition, and

Whereas, at such hearing held on the 10th day of August, 1981, all parties interested therein were heard and given due consideration, and

Whereas, the property involved is described as:

Z-18-81 — 1224 East Miller Road;

more particularly described as:

Parcel No. 3305-10-126-063

Commencing 182 feet west of the north ¼ post of Section 10; thence west to the center line of the Pawlowski Creek Drain; south 11° 34" east 336.8 feet to the northeast corner of Bradford-Scott Park Subdivision; southerly along the east line of said subdivision to a point 49.46 feet south of the most northeasterly corner of Lot 3, northeasterly 56.06 feet to a point 50 feet west of the north and south ¼ line; north parallel to the ¼ line 634 feet; west 132 feet; north 330 feet to beginning; Section 10; T3N, R2W, City of Lansing, Ingham County, Michigan;

from an "A" One Family Residential Dis-

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trict to a "D-M:1" Multiple Dwelling District; and

Whereas, pursuant to Act 207, Public Acts of 1921 as amended, the Planning Board recommended that the request be approved; and

Whereas the Physical Development Committee of City Council has reviewed the report of the Planning Board and does concur therewith;

Now, Therefore, Be It Resolved that the Council of the City of Lansing ordains that the request to rezone the above described property from "A" One Family Residential District to "D-M:1" Multiple Family Residential District be approved; and

Be It Further Resolved that the City Clerk be, and she is hereby, directed to notify the applicant of this action.

Adopted by the following vote:

Unanimously.

By COUNCILMAN WORTHINGTON—

Whereas, by petition duly filed on the 11th day of May, 1981, this council was petitioned to change the following described property from "E-2" Drive-In Shop and "C" Two Family Residential Districts to "F" Commercial District all as set forth in the Zoning Code of this city, and

Whereas, due notice as required by law has been given for a public hearing on said petition, and

Whereas, at such hearing held on the 10th day of August, 1981, all parties interested therein were heard and given due consideration, and

Whereas, the property involved is described as:

Z-19-81 — 4903 North Grand River Avenue;

more particularly described as:

Parcel No. 3301-06-128-241

Lots 13, 14, 83 and 84, Westmont Subdivision, City of Lansing, Ingham County, Michigan;

from "C" Two Family Residential and "E-2" Drive In Shop Districts to an "F" Commercial District; and

Whereas the Planning Board, at its meeting of July 7, 1981, recommended that the petition be denied as filed and that the south 70 feet of the property remain in the "C" Two Family Residential District; and

Whereas the Physical Development Committee of the City Council, to whom the report of the Planning Board was referred, concurred therewith;

Now, Therefore, Be It Resolved that the Council of the City of Lansing hereby ordains that the petition to rezone the above described property from "C" Two Family Residential and "E-2" Drive In Shop Districts to an "F" Commrecial District be denied as filed; and

Be It Further Resolved that the property described as:

Lots 13, 14 and the north 30 feet of Lot 83, Westmont Subdivision, City of Lansing, Ingham County, Michigan,

be rezoned from "C" Two Family Residential and "E-2" Drive In Shop Districts to an "F" Commercial District; and

Be It Further Resolved that the property described as:

The south 20 feet of Lot 83 and the entire of Lot 84, Westmont Subdivision, City of Lansing, Ingham County, Michigan;

remain in the "C" Two Family Residential District; and

Be It Finally Resolved that the City Clerk be, and she is hereby, directed to notify the petitioner of this action.

Adopted by the following vote:

Unanimously.

By COUNCILMAN WORTHINGTON—

Whereas, by petition duly filed on the 11th day of May, 1981, this council was petitioned to change the following described property from "A" One Family Residential District to "C" Two Family Residential District all as set forth in the Zoning Code of this city, and

Whereas, due notice as required by law has been given for a public hearing on said petition, and

Whereas, at such hearing held on the 10th day of August, 1981, all parties interested therein were heard and given due consideration, and

Whereas, the property involved is described as:

Z-20-81 — 6327 Grovenburg Road;

more particularly described as:

Parcel No. 3305-08-101-132

The west 150 feet of Lot 13 and the west 150 feet of the north 32 feet of Outlot B, Kraus Acres, City of Lansing, Ingham County, Michigan;

from an "A" One Family Residential District to a "C" Two Family Residential District; and

Whereas the Planning Board at its meeting of July 7, 1981, recommended approval of the petition; and

Whereas the Physical Development Com-

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mittee of the City Council, to whom the report of the Planning Board was referred, concurred therewith;

Now, Therefore, Be It Resolved that the Council of the City of Lansing hereby ordains that the zoning of the above described premises be changed from an "A" One Family Residential District to a "C" Two Family Residential District; and

Be It Further Resolved that the City Clerk be, and she is hereby, directed to notify the petitioner(s) of this action.

Adopted by the following vote:

Unanimously.

By WAYS AND MEANS Committee—

Resolved by the City Council of the City of Lansing:

That the following transfer be approved:

$1,115.20 from Estimated Revenues
A/C 101-000-000-160

$1,115.20 to Citizen Contribution—
Parks & Recreation Dept.
A/C 101-692-000-956

I hereby certify that this is a properly drawn and eligible transfer.

JAMES W. DOWSETT,
Finance Director.

Approved:

TERRY J. McKANE,
JACK D. GUNTHER,
WILLIAM A. BRENKE,
Ways and Means Committee.

Adopted by the following vote:

Unanimously.

Councilman Blair returned to the session.

By COUNCILMAN ADADO—

Resolved by the City Council of the City of Lansing:

That the rules of the Council be waived for the purpose of presenting items that are not listed on the agenda.

Carried.

By COUNCILMAN BRENKE—

That the Committee on General Services be discharged in regard to considering the matter of demolition of a building at 920 Raider St.

Carried.

By COUNCILMEN BRENKE, McKANE, LINDEMANN—

Resolved by the City Council of the City of Lansing:

Whereas, the Lansing Director of the Department of Building Safety and Development determined that the building located at 920 Raider Street

Legally described as:

920 Raider Street
Lot 35, Raider's Add. Lansing
3301-22-106-131

was an unsafe or dangerous building as defined in Section 9A-13 of the Lansing Uniform Housing Code and the Housing Law of Michigan; and

Whereas, a hearing was held by the Hearing Board on June 11, 1981, at which the Hearing Officers determined that said building ws an unsafe or dangerous building and ordered the building demolished or otherwise made safe; and

Whereas, said Hearing Officers filed a report of their findings and order with the Lansing City Council, and have requested the City Council to take appropriate action under the Housing Code and the Housing Law of Michigan; and

Whereas, the City Council scheduled a hearing on August 3rd, 1981, to review the findings and order of the Hearing Officers, and the owners were notified in writing of said hearing and had an opportunity to appear and show cause why said building should not be demolished or otherwise made safe;

Now, Therefore, Be It Resolved, that the City Council of the City of Lansing hereby approves the order of the Hearing Officers requiring the demolition or making safe of said building; and

Be It Further Resolved, that the owners are hereby directed to comply with the order of the Hearing Officers to demolish or otherwise make safe the said building within thirty (30) days from the date of this resolution; and

Be It Further Resolved, that should the owner fail to substantially comply with the Hearing Officers' order for demolition or otherwise make safe, the Director of the Department of Building Safety and Development is hereby directed to proceed with demolition of said building; and

Be It Further Resolved, that the cost of such demolition shall be a lien against the real property and shall be reported to the City Assessor who shall assess the same against the property upon which the building is presently located, and

Be It Further Resolved, that the owner in whose name the property appears upon the last local tax assessment record shall be notified of the amount of such cost by first class mail at the address shown on the records. Upon his failure to pay the same within thirty (30) days after mailing by the

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City Assessor of the notice of the amount thereof, the Assessor shall add the same to the next tax roll of the City of Lansing and the same shall be collected in the same manner in all respects as provided by law for the collection of taxes in the City of Lansing.

Adopted by the following vote:

Unanimously.

## REMARKS BY THE MAYOR'S EXECUTIVE ASSISTANT

No remarks.

## REMARKS BY THE CITY COUNCIL

Councilman Brenke spoke about Foster Care home at 524 Tisdale Ave.

Councilman Blair spoke about houses in Kingsley Court area.

Wm. Smith spoke again.

By COUNCILMAN BELEN—

That this meeting stand adjourned.

Carried.

Council adjourned at 8:40 p.m.

THEO FULTON,
City Clerk.

Lansing, Michigan

August 24, 1981

F/B

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CITY CLERK'S OFFICE
Room 921, City Hall
Lansing, Michigan 48933

Address Correction Requested

BULK RATE
U. S. POSTAGE
PAID
Permit No. 1461
Lansing, Michigan



# OFFICIAL PROCEEDINGS OF
# THE CITY COUNCIL
## OF THE CITY OF LANSING

## Proceednigs, August 31, 1981

**CITY COUNCIL ROOMS**

Lansing, Michigan

August 31, 1981

The City Council of the City of Lansing, Michigan, met in regular session and was called to order by President Belen.

Present: Councilmen Adado, Belen, Blair, Brenke, Gunther, Lindemann, McKane, Worthington—8.

Absent: None.

The Clerk announced that a quorum of the Council was present.

Invocation was given by Councilman Gunther.

Pledge of Allegiance was led by Councilman Gunther.

By COUNCILMAN GUNTHER—

Resolved by the City Council of the City of Lansing:

That the rules of the Council be waived for the purpose of presenting Dick Davis, co-chairmen of Riverfest Committee, and introduced the Tub and Shower singers who sang two numbers.

Carried.

**HEARINGS ON PROPOSED CHANGES IN ZONING CLASSIFICATIONS**

August 31, 1981, at 7:00 o'clock being the time set as the time for holding a hearing on the proposed changes in the Classifications as provided for in the Zoning Code which was passed by the City Council on November 13, 1958, said proposed amendment being as follows:

That the property described as:

Z-21-81—1035 E. Saginaw Street,

be rezoned from "C-2" Family Residence District to "F" Commercial District.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed amendment to the Classifications provided for in the Zoning Code he had the privilege of speaking at this time.

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Mrs. Deatsman, 1020 E. Saginaw, spoke opposing.

Richard Denton, D & D Plumbing, owner spoke.

Referred to Committee on Physical Development.

Councilman Brenke arrived.

August 31, 1981, at 7:00 o'clock being the time set as the time for holding a hearing on the proposed changes in the Classifications as provided for in the Zoning Code which was passed by the City Council on November 13, 1958, said proposed amendment being as follows:

That the property described as:

Z-22-81—3029 Ruth Avenue,

be rezoned from "A" One Family Residential District to "DM-1" Multiple Family Dwelling District.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed amendment to the Classifications provided for in the Zoning Code he had the privilege of speaking at this time.

No objections were made to the proposed amendment.

Roy Markey, 1325 E. Jolly Road, petitioner, spoke.

Referred to Committee on Physical Development.

August 31, 1981, at 7:00 o'clock being the time for holding a hearing on the proposed changes in the Classifications as provided for in the Zoning Code which was passed by the City Council on November 13, 1958, said proposed amendment being as follows:

That the property described as:

Z-23-81—North side 1000 E. Mt. Hope Avenue,

be rezoned from "D-1" Professional Office District to "J" Parking District.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed amendment to the Classifications provided for in the Zoning Code he had the privilege of speaking at this time.

No objections were made to the proposed amendment.

Referred to Committee on Physical Development.

## PUBLIC HEARING

August 31, 1981, at 7:00 o'clock being the time set as the time for holding a public hearing on the proposed Industrial Facilities Exemption Certificate for:

Fisher Body Division of General Motors Corporation.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed certificate they had the privilege of speaking at this time.

Ron Actis, Fisher Body Division, spoke and showed charts.

Referred to Committee on Economic Development.

**THE PUBLIC MAY NOW ADDRESS THE CITY COUNCIL ON ANY OF THE FOLLOWING ITEMS LISTED ON THE AGENDA: COMMUNICATIONS AND PETITIONS, COMMITTEE REPORTS, REPORTS OF CITY OFFICERS AND BOARDS AND RESOLUTIONS. YOU MAY SPEAK ONLY FOR 3 MINUTES ON ANY ONE ITEM.**

Letters from Mayor—4c removed from agenda.

Resolution 5c removed from agenda.

Resolution 3c removed from agenda.

The following persons spoke opposing the closing of Case Street:

Esther Torres, 734 E. Grand River Avenue, also presented petition and list of demands.

Julia Helms, 1105 Ballard.

Andon Pogoncheff, 905 June St.

Ramon Villegas, 1143 Case St.

Blagoy Pogoncheff, 1509 E. Grand River Avenue.

R. Boehmer, 828 E. Grand River Avenue.

Christ Pogoncheff, 732 Clark St.

Mary Haney, 403 E. Grand River Avenue.

Charles Boehmer, 814 E. Grand River Avenue.

Metodi Pogoncheff, 1322 E. Michigan Avenue.

Referred to Mayor.

## COMMUNICATIONS AND PETITIONS

The following applications and bonds have been filed for licenses:

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HEATING AND AIR CONDITIONING LICENSES—

Terry Maag's Heating, Air Conditioning and Refrigeration, Mason Heating.

MECHANICAL AMUSEMENT DEVICE—

Curlie's Secondhand Store.

PUBLIC DRIVER—

Charles Leon Lamb.

Referred to Committee on General Services.

Claim filed by Charles A. Pratt requesting reimbursement of sewer repair due to root of a city tree.

Referred to City Attorney, Mayor.

Request from ACORN Group to address the Council on the closing of Case Street.

Referred to Mayor's Office.

Letter of thanks from Joseph H. DeFors for the paramedic vehicle for the citizens of South Lansing.

Received and placed on file.

Letter from Wellman Press, Inc., in regard to a strip of property on the south side of the Wellman Press property—200 N. Cedar Street.

Received and placed on file.

Letter from Jon W. Addiss objecting to being assessed for curb and gutter on Vance Street.

Referred to Mayor.

Letter from O. K. Grettenberger, sumbitting notice of no objection to the proposed Sanitary Sewer on Aurelius Road, Irene Street, Wayne Street, and Richard Road.

Received and placed on file.

Letter from Charter Township of Delta submitting notice of public hearing to be held on September 14, 1981, on the proposed rezoning and conditional use permit for property located adjacent to Waverly Road as proposed by George Mills.

Referred to Mayor and Planning Board.

Department of Commerce—Bureau of the Census submits 1980 Census report.

Received and placed on file.

Councilman Blair excused from the session.

## MAYOR'S EXECUTIVE ASSISTANT COMMENTS ON ANY ITEM ON THE AGENDA

No comments.

## REPORT OF COMMITTEE

The COMMITTEE ON GENERAL SERVICES approves the following applications and bonds for licenses:

HEATING AND AIR CONDITIONING—

Terry Maag's Heating, Air Conditioning and Refrigeration.

MECHANICAL AMUSEMENT DEVICE—

Curlie's Secondhand Store.

PUBLIC DRIVER—

Charles Leon Lamb.

Signed:

WILLIAM A. BRENKE,
PAT LINDEMANN,
TERRY J. McKANE,
Committee on General Services.

By COUNCILMAN BRENKE—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

## REPORTS OF CITY OFFICERS AND BOARDS

August 24, 1981

President Lucile Belen and
Members of City Council

Re: Claim of George T. Guerre in the amount of $39.50

Dear President Belen and
Memebrs of City Council:

Mr. Guerre has submitted this claim for damage done to the head of his sprinkler system when Public Service employees were installing a handicapped designed sidewalk in front of Mr. Guerre's building at 700 N. Washington Avenue. The sprinkler head was located within the City right-of-way just a few inches on the building side of the sidewalk.

The Public Service Department has informed this office that the damaged sprinkler head was not visible from the unearthed ground and it was not until the sidewalk

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had been pulled up that the employees were aware of its existence.

The Public Service Department has also advised this office that they have no record that the claimant complied with Section 28-56 of the Code of Ordinances. This section requires that a person obtain permission from either Council or the Director of Public Service before placing any obstruction in any public place.

While under the "essence of governing test," it may be argued that the activities of the Public Service Department employees were not a governmental function, in this case there is no evidence of any negligence on their part because there was no way of knowing that below ground level, claimant had installed a sprinkler system. It is therefore the recommendation of this office that Mr. Guerre's claim be denied.

Respectfully submitted,

STEPHEN R. SAWYER,
City Attorney.

By COUNCILMAN ADADO—

That we concur in the recommendation of the City Attorney that the claim be denied.

Carried.

August 24, 1981

President Lucile Belen and
Members of City Council

Re: Claim of Gerald Hetchler in the amount of $136.63.

Dear President Belen and
Members of City Council:

On February 16, 1981, claimant sustained damage to his automobile in the amount of $146.63 when it struck a chuckhole in the 1600 block of East Main Street.

MCLA 691.1403 provides that:

"A governmental agency is not liable for damage sustained unless the agency knew or should have known of the existence of a defect in the street.'

In this case, the Public Service Department has advised this office that it had no knowledge of the chuckhole in question until 9:00 o'clock p.m. of February 16, 1981. Moreover, upon receiving notification, the Public Service Department placed barricades over the chuckhole and repaired it the next day.

Because the City had no previous notice of the chuckhole, it is the recommendation of this office that the claim be denied on the basis of governmental immunity.

Respectfully submitteo,

STEPHEN R. SAWYER,
City Attorney.

By COUNCILMAN ADADO—

That we concur in the recommendation of the City Attorney that the claim be denied.

Carried.

August 24, 1981

President Lucile Belen and
Members of City Council

Re: Claim of Vera Libbey in the amount of $35.00

Dear President Belen and
Members of City Council:

Ms. Libbey has submitted this claim for damage done to her lawnmower when it hit a ground pole which was originally used to ground an adjacent light pole. The pole is located between the curb and sidewalk and according to the Department of Public Service, was sticking out of the ground since the Fall of 1979 when Public Service replaced the curb, filled in the ground, and then sodded the area.

MCLA 691.1403 provides that a municipality is liable for damages caused by defective highways if the municipality knew or should have known of the defect and had a reasonable time to repair the defect. "Highway" has been construed to include light poles. **Mechay v City of Detroit,** 364 Mich 576 (1962). Because the pole here was used to ground the light pole, it should be considered a part of it and hence part of the highway.

In this case because the City left the pole exposed, it knew of this defect and because this was almost two years ago, the City had reasonable time to repair the same.

It is therefore the recommendation of this office that Ms. Libbey's claim be paid in the amount of $35.00.

Respectfully submitted,

STEPHEN R. SAWYER,
City Attorney.

By COUNCILMAN ADADO—

That we concur in the recommendationq of the City Attorney and the City Clerk be and she is hereby directed to draw an order on the City Treasurer in the amount of $35.00 payable to Vera Libbey.

Carried.

DATE: August 27, 1981

TO: Council President Lucile Belen, Mayor Gerald Graves and City Clerk Theo Fulton

FROM: Edward J. Piloske, Principal Internal Auditor

SUBJECT: Interim Monitoring Audit of the Youth Development Corporation CETA FY 1980181 Subcontracts

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In accordance with Section 3-402.3 of the City Charter, the Office of Internal Audit submits the following interim monitoring audit report of the Youth Development Corporation FY 1980-81 CETA Title II contract and CETA Title VI Work Project "Home Maintenance and Preservation" contract, subgranted by the City of Lansing.

As this audit contains financial and programmatic exceptions, a response will be required from Youth Development Corporation and the City Administration. We request that all responses be made by September 15, 1981, as the Manpower Office is in phase-out operations.

Referred to Committee on Ways and Means and Committee on Human Services.

DATE: 8-25-81

TO: Chairman Lucile Belen and Members

FROM: Police Chief Richard A. Gleason

SUBJECT: Parade Applications (3)

Attached are three Applications for Parade Permits, as follows:

1. DALMAC '81, scheduled for 8:45 A.M. on Thursday, September 3, 1981. We estimate this will cost of City a total of $198.86 which represents one Sergeant, six Police Officers and seven vehicles for 1.5 hours.

2. Muscular Dystrophy Association wheelchair push-a-thon from Jackson to WJIM-TV, scheduled for September 7, 1981, at approximately 4:00 P.M. We estimate this will cost the City a total of $115.20, which represents one Sergeant, two Police Officers and three vehicles for two hours.

3. CIVITAN (Michigan District), scheduled for 10:00 A.M. on Saturday, September 12, 1981. We estimate this will cost the City a total of $76.34, which represents one Sergeant, three Police Officers and four vehicles for one hour.

These have all been approved by the necessary departments and are being sent to you for final disposition.

By COUNCILMAN ADADO—

That we concur in the recommendation of the Chief of Police and said parade permits be approved, having received the approval of all the required departments.

Carried.

DATE: 8/21/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Director of Building, Safety and Development Re: Trash Removal Assessment

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

By COUNCILMAN LINDEMANN—

That we concur in the recommendation of the Mayor and said assessments be placed on the December tax roll.

Carried.

August 26, 1981

Council President Lucile Belen and
Members of the Lansing City Council

10th Floor, City Hall

Lansing, Michigan 48933

Dear Council President and Members:

In accordance with Ordinance No. 558, an ordinance which provides for the selection and terms of office for Citizens' District Council No. 2 (Eastside), the below listed have been submitted to me, by the CD staff, as persons interested in serving on said Council:

Gary Peterson

Don DeLoof

Pat Sabrosky

Leone Starin

John Hopkins

Johnny Hood

For your consideration and confirmation to serve, I am submitting the following to fill the three current vacancies:

**Neighborhood Development Area—**

Gary Peterson
1000 Dakin Street
Lansing, Michigan
Phone: 372-9427

**Term Expiring May 5, 1983:**

Mr. Peterson has lived in the area since June, 1980. He is working on a doctorate degree in agricultural engineering technology. His home has been rehabilitated. He believes the CDC concept of neighborhood development has been beneficial. Concerned about his family living in a neighborhood conducive to good mental health and personal safety.

**Neighborhood Development Area—**

Pat Sabrosky
3320 Parkview
Lansing, Michigan
Phone: 393-3098

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**Term Expiring May 5, 1984:**

Ms. Sabrosky is the owner of 1029 Bensch Street, She has been a member of the CDC since April 13, 1976, and has a high regard for the work of the CDC and development of the neighborhood.

**Peripheral Area—**

Johnny Hood
1217 E. Main Street
Lansing, Michigan
Phone: 371-2732

**Term Expiring May 5, 1984:**

Ms. Hood has lived on the Eastside for a year. She is a member of the Neighborhood Watch Program and does volunteer work at Potter Park United Methodist Church.

Trusting these recommendations meet with your approval, I remain

Sincerely,

GERALD W. GRAVES,
Mayor.

Referred to Committee on Physical Development.

DATE: 8/27/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Mayor's Economic Development Advisory Group Re: Triad Investment application for Commercial Facilities Exemption Certificate

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Economic Development.

DATE: 8/27/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Building Safety and Development Director Re: Request for Public Hearing

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on General Services.

DATE: 8/27/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Submission of attached correspondence from the Parks Director Re: Closing dates for Hunter Park Pool

The attached correspondence is submitted for your information.

GERALD W. GRAVES,
Mayor.

Received and placed on file.

## RESOLUTIONS

By COUNCILMAN BELEN—

Resolved by the City Council of the City of Lansing:

That the Council Meeting of Monday, September 7, 1981, be changed to Tuesday, September 8, 1981, due to the observance of Labor Day on Monday, September 7, 1981.

Adopted by the following vote:

Unanimously.

By ECONOMIC DEVELOPMENT COMMITTEE—

Resolved by the City Council of the City of Lansing:

Whereas, it is necessary to hold a public hearing prior to the Council approval of a Commercial Redevelopment Exemption Certificate for the following petitioner,

Commercial Redevelopment District

CRD-3-81

Petitioner: Triad Investment Firm
1408 and 1414 E. Michigan Avenue

Therefore, Be It Resolved that the City Clerk give at least 10 days notice of a public hearing when all persons interested may attend and make any objections they may have to the approval of the certificate, and

Further Resolved that the City Clerk notify the legislative body of each taxing unit which levies ad valorem property taxes in the city, and

Further Resolved that such hearing shall be held at the Council Chambers in the City Hall on September 21, 1981, at 7:00 p.m. and that notice of such hearing be published in a publication of general circulation of said city.

Adopted by the following vote:

Unanimously.

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By COMMITTEE ON GENERAL SERVICES—

Resolved by the City Council of the City of Lansing:

Whereas, the Lansing Director of the Department of Building Safety and Development determined that the building located at 1032 North Pine Street legally described as:

1032 North Pine
3301-09-307-007-7
W ½ of Lot 12, Block "C"
Subdivision of Blocks 26 & 27
Original Plat

was an unsafe or dangerous building as defined in Section 9A-13 of the Lansing Uniform Housing Code and the Housing Law of Michigan; and

Whereas, a hearing was held by the Hearing Board on July 9, 1981, at which the Hearing Officers determined that said building was an unsafe or dangerous building and ordered the building demolished or otherwise made safe; and

Whereas, said Hearing Officers filed a report of their findings and order with the Lansing City Council, and have requested the City Council to take appropriate action under the Housing Code and the Housing Law of Michigan; and

Whereas, the City Council scheduled a hearing on August 24, 1981, to review the findings and order of the Hearing Officers, and the owners were notified in writing of said hearing and had an opportunity to appear and show cause why said building should not be demolished or otherwise made safe;

Now, Therefore, Be It Resolved that the City Council of the City of Lansing hereby approves the order of the Hearing Officers requiring the demolition or making safe of said building; and

Be It Further Resolved that the owners are hereby directed to comply with the order of the Hearing Officers to demolish or otherfwise make safe the said building within forty (40) days from the date of this resolution; and

Be It Further Resolved that should the owner fail to substantially comply with the Hearing Officer's order for demolition or otherwise make safe, the Director of the Department of Building Safety & Development is hereby directed to proceed with demolition of said building; and

Be It Further Resolved that the cost of such demolition shall be a lien against the real property and shall be reported to the City Assessor who shall assess the same against the property upon which the building is presently located; and

Be It Further Resolved that the owner in whose name the property appears upon the last local tax assessment record shall be notified of the amount of such cost by first class mail at the address shown on the records. Upon his failure to pay the same within thirty (30) days after mailing by the City Assessor of the notice of the amount thereof, the Assessor shall add the same to the next tax roll of the City of Lansing and the same shall be collected in the same manner in all respects as provided by law for the collection of taxes in the City of Lansing.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON GENERAL SERVICES—

Resolved by the City Council of the City of Lansing:

Whereas, the Lansing Director of the Department of Building Safety & Development determined that the building located at 531 North Walnut Street legally described as:

531 North Walnut Street
E. 74 Ft. of S. ½ Lot 1
Block 72, Original Plat
3301-16-108-201-4

was an unsafe or dangerous building as defined in Section 9A-13 of the Lansing Uniform Housing Code and the Housing Law of Michigan; and

Whereas, a hearing was held by the Hearing Board on July 9, 1981, at which the Hearing Officers determined that said building was an unsafe or dangerous building and ordered the building demolished or otherwise made safe; and

Whereas, said Hearing Officers filed a report of their findings and order with the Lansing City Council, and have requested the City Council to take appropriate action under the Housing Code and the Housing Law of Michigan; and

Whereas, the City Council scheduled a hearing on August 24, 1981, to review the findings and order of the Hearing Officers, and the owners were notified in writing of said hearing and had an opportunity to appear and show cause why said building should not be demolished or otherwise made safe;

Now, Therefore, Be It Resolved that the City Council of the City of Lansing hereby approves the order of the Hearing Officers requiring the demolition or making safe of said building; and

Be It Further Resolved that the owners are hereby directed to comply with the order of the Hearing Officers to demolish or otherwise make safe the said building within thirty (30) days from the date of this resolution; and

Be It Further Resolved that should owner fail to substantially comply with the Hearing Officer's order for demolition or otherwise make safe, the Director of the Department of Building Safety & Development is hereby directed to proceed with demolition of said building; and

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Be It Further Resolved that the cost of such demolition shall be a lien against the real property upon which the building is presently located; and

Be It Further Resolved that the owner in whose name the property appears upon the last local tax assessment record shall be notified of the amount of such cost by first class mail at the address shown on the records. Upon his failure to pay the same within thirty (30) days after mailing by the City Assessor of the notice of the amount thereof, the Assessor shall add the same to the next tax roll of the City of Lansing and the same shall be collected in the same manner in all respects as provided by law for the collection of taxes in the City of Lansing.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON GENERAL SERVICES—

Resolved by the City Council of the City of Lansing:

That the request from the DeLuca Brothers, Incorporated, for a transfer of Ownership of 1981 Class C licensed business located at 2006 West Willow Street from Helen and Pat DeLuca is hereby approved provided the necessary approval is obtained from the City Departments involved.

Adopted by the following vote:

Unanimously.

By COMMITTEE OF PUBLIC PROPERTIES AND SAFETY—

Resolved by the City Council of the City of Lansing:

Whereas, the Traffic Board has reviewed a resident's request to install stop signs at the intersection of Donald and Potter and also at the intersection of Donald and Everettdale; and

Whereas, both intersections currently have yield signs in place; and

Whereas, the Traffic Board has recommended that stop signs be installed on Potter at Donald instead of yield signs, and that the yield signs on Everettdale at Donald remain in place;

Now, Therefore, Be It Resolved, the Lansing City Council hereby approves the Traffic Board recommendation to install stop signs on Potter at Donald.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PUBLIC PROPERTIES AND SAFETY—

Resolved by the City Council of the City of Lansing:

Whereas, parking restrictions on South Capitol Avenue were changed for a 90-day trial period, resulting in negative comments from the Police Department and the Transportation Division; and

Whereas, the Traffic Board has recommended that a "No Standing 4-6 PM" zone be reinstated on S. Capitol Ave. south of Washtenaw St.;

Now, Therefore, Be It Resolved, the Lansing City Council hereby approves the "No Standing 4-6 PM" parking restriction on the west side of S. Capitol Ave. from Washtenaw St. to a point 165 feet south of Washtenaw.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PUBLIC PROPERTIES AND SAFETY—

Resolved by the City Council of the City of Lansing:

Whereas, the Traffic Board has reviewed a request to change parking restrictions on the west side of Center St. to accommodate all-day street parking; and

Whereas, the Traffic Board has recommended approval of the request;

Now, Therefore, Be It Resolved, the Lansing City Council hereby removes the one-hour time limit on the west side of Center Street from 44 feet south of Clinton to 325 feet south of Clinton.

Adopted by the following vote:

Unanimously.

By PHYSICAL DEVELOPMENT COMMITTEE—

Resolved by the City Council of the City of Lansing:

Therefore, Be It Resolved, that the Board Appointment of Marie Meisenbach to serve on the Zoning Board of Appeals for a term expiring June of 1982 is hereby confirmed as recommended by the Mayor.

Adopted by the following vote:

Unanimously.

By COUNCILMAN WORTHINGTON—

Resolved by the City Council of the City of Lansing:

That the following appointments to the Citizens' District Council No. 3 (North-

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side) be confirmed:

**Neighborhood Development Area**

Vickie Chamberlain
1504 Massachusetts
Date of Expiration—May 5, 1984.

**Citizens' District Council Area**

Emily Mae Gonzales
1109 David Street
Date of Expiration—May 5, 1984.

Adopted by the following vote:

Unanimously.

By COUNCILMAN WORTHINGTON—

Resolved by the City Council of the City of Lansing:

P-5-81
Jamar Park No. 1
Tentative Preliminary Plat Approval

Whereas, pursuant to the Lansing Subdivision Regulations, being Chapter 37 of the Code of the City of Lansing, Mary Ettinger has submitted a proposed plat to be known as Jamar Park Subdivision No. 1 for tentative preliminary approval; and

Whereas, the Lansing Planning Board has reviewed the proposed plat and at their meeting of August 4, 1981, recommended that tentative preliminary approval be denied because of the uncertainty of sewer service to the area; and

Whereas, the Physical Development Committee of the Lansing City Council, to whom the report of the Planning Board was referred, has recommended approval of the subject plat subject to conditions;

Now, Therefore, Be It Resolved that the Council of the City of Lansing hereby grants tentative approval of the preliminary plat of Jamar Park Subdivision No. 1, subject to the following conditions:

1) That the final plat be developed with all public improvements as required by the Lansing Subdivision Regulations and the Michigan State Plat Act.

2) That all lots be graded so that surface water will drain therefrom and will not adversely affect adjacent properties.

3) That the developer utilize an underground electrical distribution system as indicated by the Board of Water and Light and as specified in Section 37-33.1 of the Lansing Subdivision Regulations.

4) That the necessary utility easements be provided and indicated on the final plat drawings for the installation of utilities.

5) That the requirements of the Fire Marshal be complied with.

6) That the requirements of all other responding agencies be complied with.

7) That the information required in Section 37-15 of the Subdivision Regulations be supplied when the final preliminary plat is submitted.

8) That access to the detention basin areas be provided.

9) That street names be included and cleared with Tri-County Regional Planning Commission.

10) That temporary turn arounds be installed on all stub streets.

11) That the lotting pattern be in conformance with Section 37-23 of the Lansing Subdivision Regulations.

12) That the storm water drainage plan shall be submitted for approval by the City of Lansing and the Eaton County Drain Commission.

13) That the design changes as suggested in the Planning Department Report be incorporated into the design of the subdivision plat at the time final preliminary plat approval is requested.

14) That this tentative approval of the preliminary plat be extended for a period of twelve (12) months.

Since this subdivision plat will require alterations due to the above conditions and the requirements as outlined in the Planning Board Staff Report, it is understood that the final preliminary plat will be reviewed by the Planning Department and all other agencies as was done at the time of tentative preliminary review.

It is also understood that the sanitary sewer service is limited in Waverly Road, between Glasgow and Miller Roads at this time. Therefore, development can only occur in accordance with the allocations determined by the Public Service Department.

Lost by the following vote:

Yeas: Councilmen Belen, Gunther, McKane, Worthington—4.

Nays: Councilmen Adado, Brenke, Lindemann—3.

By COUNCILMAN WORTHINGTON—

Resolved by the City Council of the City of Lansing:

P-6-81
Waverly Meadows Subdivision
Tentative Preliminary Plat Approval

Whereas, pursuant to the Lansing Subdivision Regulations, being Chapter 37 of the Code of the City of Lansing, Bruce Stratton has submitted a proposed plat to be known as Waverly Meadows Subdivision for tentative preliminary approval; and

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Whereas, the Lansing Planning Board has reviewed the proposed plat and at their meeting of August 4, 1981, recommended that tentative preliminary approval be denied because of the uncertainty of sewer service to the area; and

Whereas, the Physical Development Committee of the Lansing City Council, to whom the report of the Planning Board was referred, has recommended approval of the subject plat subject to conditions; and

Now, Therefore, Be It Resolved that the Council of the City of Lansing hereby grants tentative approval of the preliminary plat of Waverly Meadows Subdivision subject to the following conditions:

1) That the final plat be developed with all public improvements as required by the Lansing Subdivision Regulations and the Michigan State Plat Act.

2) That all lots be graded so that surface water will drain therefrom and will not adversely affect adjacent properties.

3) That the developer utilize an underground electrical distribution system as indicated by the Board of Water and Light and as specified in Section 37-33.1 of the Lansing Subdivision Regulations.

4) That the necessary utility easements be provided and indicated on the final plat drawings for the installation of utilities.

5) That the requirements of the Fire Marshal be complied with.

6) That the requirements of all other responding agencies be complied with.

7) That the information required in Section 37-15 of the Subdivision Regulations be supplied when the final preliminary plat is submitted.

8) That access to the detention basin areas be provided.

9) That street names be included and cleared with Tri-Countiy Regional Planning Commission.

10) That temporary turn arounds be installed on all stub streets.

11) That the lotting pattern be in conformance with Section 37-23 of the Lansing Subdivision Regulations.

12) That the storm water drainage plan shall be submitted for approval by the City of Lansing and the Eaton County Drain Commission.

13) That the design changes as suggested in the Planning Department Report be incorporated into the design of the subdivision plat at the time final preliminary plat approval is requested.

14) That this tentative approval of the preliminary plat be extended for a period of twelve (12) months.

Since this subdivision plat will require alterations due to the above conditions and the requirements as outlined in the Planning Board Staff Report, it is understood that the final preliminary plat will be reviewed by the Planning Department and all other agencies as was done at the time of tentative preliminary review.

It is also understood that the sanitary sewer service is limited in Waverly Road, between Glasgow and Miller Roads at this time. Therefore, development can only occur in accordance with the allocations determined by the Public Service Department.

Lost by the following vote:

Yeas: Councilmen Belen, Gunther, McKane, Worthington—4.

Nays: Councilmen Adado, Brenke, Lindemann—3.

By COUNCILMAN ADADO—

That the vote by which resolution relative to Jamar Park No. 1 Tentative Preliminary Plat and Waverly Meadows Subdivision Tentative Preliminary Plat lost be referred back to the Committee on Physical Development.

Carried.

By COUNCILMAN WORTHINGTON—

Resolved by the City Council of the City of Lansing:

FCF-1-81
524 Tisdale

Whereas, pursuant to Act 28, Public Acts of 1977, the State of Michigan, the State of Michigan Department of Social Services has notified the City of Lansing of its intent to license an adult foster care home to house a maximum of six (6) elderly foster adults upon the premises known as 524 Tisdale, more particularly described as:

Lot 108, Addmore Park, City of Lansing, Ingham County, Michigan; and

Whereas, upon review of the application the Planning Board found that;

1) No other similar or existing proposed facilities are located within 1500 feet of this proposed facility.

2) Repairs are necessary to bring the home up to within Building and Fire Code standards, and

3) The subject property does not appear to be well maintained. There is general clutter and the plant materials on site need to be trimmed; and

Whereas, the Physical Development Committee of City Council, at their meeting of August 21, 1981, reviewed the report of the

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Planning Zoard and the results of the Safety Inspection and point out the following:

1) That no other similar or existing proposed facilities are located within 1500 feet of this proposed facility.

2) Repairs are necessary to bring the home up to within Building and Fire Code standards.

3) The subject property does not appear to be well maintained; there is general clutter and the plant materials on site need to be trimmed.

4) The immediate area is developed with single family homes on relatively small lots.

5) Neighbors in the immediate vicinity have voiced their objection to this request to the City Council, at the public hearing held on Monday, August 17, 1981, and also at the Physical Development Committee meeting of City Council, at their meeting of August 21, 1981. Therefore, the Committee believes that the neighbors who have voiced their objection should be given further consideration by the State of Michigan prior to any licensing of this facility;

Now, Therefore, Be It Resolved that the Council of the City of Lansing return the application to the State of Michigan Department of Social Services indicating the proposed facility is located more than 1500 feet from any existing similar facility or other proposed facility; and further, that the City Council recommends that the Michigan Department of Social Services consider all of the above comments cited by the Physical Development Committee prior to issuing a license for this proposed facility; and

Be It Further Resolved that the City Clerk be, and she is hereby, directed to return the license application notice with these concerns and that copies of this resolution, the Planning Department Report and the Safety Inspection Report be attached thereto and returned with the notice.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON WAYS AND MEANS—

Resolved by the City Council of the City of Lansing:

That the following transfers be approved:

$ 1,325.00 from Reserve for Contingency
A/C 101-941-000-963

$ 425.00 to Assessor—Miscellaneous & Operating Expenses
A/C 101-209-000-741

900.00 to Equipment
A/C 101-209-000-977

$ 75,100.00 from Estimated Revenues
A/C 101-000-000-160

$ 60,000.00 to Mileage
A/C 101-930-000-870

15,100.00 to Parking Subsidy
A/C 101-930-000-871

$ 99,000.00 from Estimated Revenues
A/C 101-000-000-160

$ 99,000.00 to Equipment
A/C 101-930-000-977

$185,000.00 from Reserve for Contingency
A/C 101-941-000-963

$185,000.00 to Aurelius Road Landfill
A/C 101-936-104-974

$ 14,820.91 from Contingency
A/C 255-941-600-969

$ 14,820.91 to CD Uncollectable Rent
A/C 252-839-006-957

$ 6,602.00 from Estimated Revenues
A/C 585-000-000-160

$ 2,720.00 to Wages—Hourly
A/C 585-570-428-706

1,200.00 to Wages—Temp. Help
A/C 585-570-428-707

1,260.00 to Fringe Benefits
A/C 585-570-428-715

252.00 to Supplies
A/C 585-570-428-740

100.00 to Utilities
A/C 585-570-428-920

1,070.00 to Admin. Charge
A/C 585-536-000-802

$ 69,322.00 from Depreciation, Extension & Improvement Fund
A/C 585-000-000-377

$ 34,905.00 to Major Maint.—Ramp No. 1 S. Grand
A/C 585-571-451-931.01

28,186.00 to Major Maint.—Ramp No. 2 S. Capitol
A/C 585-571-452-931.01

6,231.00 to Major Maint.—Ramp No. 4 N. Capitol
A/C 585-571-454-931.01

$299,380.00 from Retained Earnings
A/C 590-000-000-395

$299,380.00 to Plant Improvements—City Match
A/C 590-536-614-974

I hereby certify that this is a properly drawn and eligible transfer.

JAN LAZAR,
Budget Director.

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Approved:

TERRY J. McKANE,
JACK D. GUNTHER,
Committee on Ways and Means.

By COUNCILMAN McKANE—

That the $185,000.00 from Reserve for Contingency be reduced to $125,000.00.

Carried.

By COUNCILMAN LINDEMANN—

That the $75,100.00 from Estimated Revenues and the $99,000.00 from Estimated Revenues be referred back to the Committee on Ways and Means for one week.

Carried.

The balance of the resolution was adopted by the following vote:

Unanimously.

## REMARKS BY THE MAYOR'S EXECUTIVE ASSISTANT

No remarks.

By COUNCILMAN BELEN—

That this meeting stand adjourned.

Carried.

Council adjourned at 9:20 p.m.

THEO FULTON,
City Clerk.

Lansing, Michigan
August 31, 1981

F/B

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CITY CLERK'S OFFICE
Room 921, City Hall
Lansing, Michigan 48933

Address Correction Requested

BULK RATE
U. S. POSTAGE
PAID
Permit No. 1461
Lansing, Michigan



# OFFICIAL PROCEEDINGS OF THE CITY COUNCIL OF THE CITY OF LANSING

## Proceedings, September 8, 1981

CITY COUNCIL ROOMS

Lansing, Michigan

September 8, 1981

The City Council of the City of Lansing, Michigan, met in regular session and was called to order by President Belen.

Present: Councilmen Adado, Belen, Blair, Brenke, Gunther McKane, Worthington—7.

Absent: Councilman Lindemann—1.

The Clerk announced that a quorum of the Council was present.

Invocation was given by Councilman Gunther.

Pledge of Allegiance was led by Councilman Gunther.

By COUNCILMAN McKANE—

That the Council Proceedings of August 10, 17, 24, 1981, be approved.

Carried.

REVIEWING ASSESSMENT ROLLS
NO. 285

This is the time set for hearing appeals on the special assessment roll for construction of Sanitary Sewer on all lands fronting on Aurelius Road from existing sewer at Worden St. north to Wayne St.

No appeals.

This is the time set for hearing appeals on the special assessment roll for construction of Sanitary Sewer on Irene Street from Aurelius Road to the east end of the street.

No appeals.

This is the time set for hearing appeals on the special assessment roll for construction of Sanitary Sewer on Wayne St. from Aurelius Rd. to the east line of lot 24 Culver-Dale Subd.

No appeals.

This is the time set for hearing appeals on the special assessment roll for construction of Sanitary Sewer on Richard Road

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from Edgewood Road to the south end (I-96).

No appeals.

Referred to Committee on Physical Development.

**REVIEWING ASSESSMENT ROLLS NO. 286**

This is the time set for hearing appeals on the special assessment roll for construction of Curb and Gutter on Seventh Avenue from Randall Street to Vance Street.

No appeals.

Referred to Committee on Physical Development.

**THE PUBLIC MAY NOW ADDRESS THE CITY COUNCIL ON ANY OF THE FOLLOWING ITEMS LISTED ON THE AGENDA: COMMUNICATIONS AND PETITIONS, COMMITTEE REPORTS, REPORTS OF CITY OFFICERS AND BOARDS AND RESOLUTIONS. YOU MAY SPEAK ONLY FOR 3 MINUTES ON ANY ONE ITEM.**

No person spoke.

**COMMUNICATIONS AND PETITIONS**

The following claims have been filed:

Brett J. Bean, Attorney for Mr. and Mrs. Donald H. Cleeves, in regard to a septic tank and drain field problem that exists at 2417 E. Mt. Hope Avenue.

Joyce Tucker for damage to the tire on her automobile due to pothole.

Insurance Company of North American for insured Mary J. Siel for injuries sustained due to fall on sidewalk.

May Ellen Marsh for bill received from Lansing Mercy Ambulance for services rendered from 2110 Kurbitz to Ingham Medical Hospital.

Referred to Mayor, City Attorney.

The following petitions filed for rezoning:

Z-29-81—

Lots 17, 18, 19, the North 12.5 feet of Lots 20, 21, 22, 23 of Block 10, Handy-Home Addition, City of Lansing, Ingham County, Michigan, from "C" Two Family Residential District to "J" Parking District—(1111, 1115, 1117, 1119, 1129, 1133, 1135, 1137 Ballard St.).

Z-30-81—

The east fifty-five (55) feet of Lot No. Ninety-Seven (97) and the west forty-five (45) feet of Lot Ninety-Eight (98) Scotsdale Subdivision Number 2, City of Lansing, Ingham County, Michigan, from "A" One Family Residential District to "C" Two Family Residential District—(3300 Brisbane St.).

Z-31-81—

Commencing at the Northeast corner of Jolly Rd. and Stafford Ave., thence North 297 ft., thence East 198 ft., thence South 330 ft., thence West 132 ft., thence North 33 ft., thence West 66 ft., to beginning on East ½ of Southwest ¼ of Section 33, T4N, R2W, being lots 1 and 2 of Creyts Acres and land adjacent thereto, City of Lansing, Ingham County, Michigan, from "A" One Family Residential District to "E" Apartment-Shop District—(110 Jolly Rd.).

Referred to Mayor, Planning Board.

Petition filed in protest to the rezoning of property at 1035 E. Saginaw Street.

Referred to Mayor, Committee on Physical Development.

Requests filed for special use permits:

SUP-7-81—Ruth Avenue—to allow construction of five duplexs in the flood plain.

SUP-8-81—831 Sycamore Street to operate an overnight shelter for those who are homeless and in need of a place to sleep.

Referred to Mayor, Planning Board.

Petition filed in regard to traffic flow on Cambrey Drive from Waverly Road to Newport Street.

Referred to Mayor, Traffic Board.

Letter from Mark A. Latterman, Attorney, asking that the city vacate a portion of sidewalk at 200 Washington Square North for the expansion of a building.

Referred to Mayor.

Request from Dianne Isham for permission to have an outdoor event permit for September 18, 19, 20, 1981, in connection with Fish Fest.

By COUNCILMAN GUNTHER—

That permission be granted provided all signatures are obtained and all requirements are met.

Carried.

Request from Ronald and Carol Heacock at 922 W. Willow St. for permission to

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build a split rail fence in their front yard on city property.

Referred to Mayor.

Invitation from the City of Williamston to a special celebration called "Discover Williamston" which will be held on September 12, 1981.

Referred to Mayor, All City Council Members and City Clerk.

Notice from Consumers Power Company of a hearing to be held on September 9, 1981, on:

Reconciliation of net revenues received with net recoverable expense incurred.

Reflection of monthly billings to customers.

Received and placed on file.

Amended notice of hearing from State of Michigan—Michigan Public Service Commission in the matter of Consumers Power Company for accounting and ratemaking approval of deferred tax accounting for its gas and electric operations.

Received and placed on file.

State of Michigan—Department of Natural Resources submits notice of flood plain permit for Mr. John Colley.

Received and placed on file.

## MAYOR OR HIS EXECUTIVE ASSISTANT COMMENTS ON ANY ITEM ON THE AGENDA

Mr. Black spoke re: Demmer Corp. and Genesee Center bids.

## REPORTS OF CITY OFFICERS AND BOARDS

August 31, 1981

The Honorable President Lucile Belen and Members of the Lansing City Council

Re: Claim of Roy N. Pelkey in the amount of $214.00

Dear President Belen and Council Members:

On July 13, 1981, Roy N. Pelkey submitted a claim against the City of Lansing for damage to his motorcycle, which resulted from driving through a chuckhole in the roadway of the 3400 block of North East Street on July 8, 1981. Mr. Pelkey claims that the cost of replacing the front wheel of his motorcycle is $214.00 plus tax.

The Public Service Department has advised this office that no prior complaint had been received concerning the chuckhole in question.

The criteria established by statute for finding a municipality liable for a defective roadway are found in MCLA 691.1403; MSA 3.996 (103):

> "No governmental agency is liable for injuries or damages caused by defective highways unless the governmental agency knew, or in the exercise of reasonable diligence should have known, of the existence of the defect and had a reasonable time to repair the defect before the injury took place. Knowledge of the defect and time to repair the same shall be conclusively presumed when the defect existed so as to be readily apparent to an ordinarily observant person for a period of 30 days or longer before the injury took place."

According to the facts supplied by the claimant and the Public Service Department, the City had no prior notice of the chuckhole so there appears to be no basis for approval of the claim. Therefore, it is the recommendation of this office that the claim of Roy N. Pelkey be denied.

Respectfully submitted,

STEPHEN R. SAWYER,
City Attorney.

By COUNCILMAN ADADO—

That we concur in the recommendation of the City Attorney.

Carried.

September 1, 1981

President Lucile Belen and Members of City Council

Re: Macauley v City of Lansing

Dear President Belen and Members of City Council:

Some time ago Officer Gregory Macauley instituted legal action to enjoin the City of Lansing from requiring him to take certain examinations. After a trial on the matter, Circuit Judge Robert Bell decided against the City of Lansing. Because it was the opinion of this office that Judge Bell was in error in his decision, an appeal was instituted in the Michigan Court of Appeals.

Additionally, Officer Macauley filed a grievance against the City of Lansing challenging disciplinary action taken against him. The arbitration hearing on the matter is scheduled in the immediate future.

Since initiating the above mentioned law-

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suit and grievance procedure, Mr. Macauley has resigned from the Lansing Police Department. In light of his resignation, Mr. Macauley and the City of Lansing through their legal representatives have entered into negotiations in an attempt to resolve their legal differences. As a result of those negotiations a tentative settlement of Mr. Macauley's grievance has been reached. As part of that settlement Mr. Macauley's legal representative asks that the City's appeal of the above referenced lawsuit be discontinued.

In light of Mr. Macauley's resignation from the Lansing Police Department, there is little purpose in pursuing the City of Lansing's appeal of the above referenced case. The adverse decision in that case was limited specifically to Mr. Macauley's situation and should not be detrimental to the City in the future. Additionally, discontinuation of the appeal will save the City the substantial expense of preparation of a transcript of the trial in the matter and, additionally, substantial legal fees for representation by outside labor counsel at the grievance arbitration hearing. Based upon those savings and Mr. Macauley's resignation as a police officer, this office is of the opinion that the proposed settlement is advantageous to the City of Lansing and should be entered into. Based on the above, this office recommends and requests that the Lansing City Council authorize the discontinuance of the City's appeal in the above referenced cause.

Respectfully submitted,

STEPHEN R. SAWYER,
City Attorney.

By COUNCILMAN ADADO—

That we concur in the recommendation of the City Attorney.

Carried.

September 4, 1981

President Lucile Belen and
Members of City Council

Re: Arthur Arvanites (Circle West Apartments) v City of Lansing; MTT Docket No. 45529

Dear President Belen and Members of City Council:

On June 27, 1980, Mr. Arvanites filed the above referenced appeal with the Michigan Tax Tribunal complaining that certain parcels of real property owned by them and located at 3315 and 3224 Jonis Circle in the City of Lansing had been assigned assessed values for the purpose of property taxes in excess of 50% of their true cash value and therefore were illegally assessed. Subsequently, the petition was amended to include the 1981 tax year. The City of Lansing filed its answer in the matter asserting that the assessed values which were assigned the subject property by the City Assessor were not in excess of 50% of the property's true cash value and therefore, were legally assessed.

Pursuant to Michigan Tax Tribunal Rules, a counsel conference was held in the City Assessor's Office. Representatives of Mr. Arthur Arvanites and representatives of the City Assessor's Office were present and both the parties exchanged information. Based upon the information which was submitted at the counsel conference by the representatives of Mr. Arthur Arvanites and which was not available to the City Assessor's Office at the time the City Assessor's Office placed an assessed value upon the parcels of real property which are the subject matter of this case, Mr. Arthur Arvanites and the City Attorney are willing to agree that the assessed value of the property for the 1980 tax year should be $218,000 and the assessed value of the property for the 1981 tax year should be $225,000. While this amount is somewhat less than the $252,900 at which the properties were initially assessed by the City Assessor, it is still substantially in excess of the $178,100 originally claimed by the Petitioner and in the opinion of the City Assessor's Office, the amount is justifiable in light of the information now available.

Therefore, based upon the recommendation of the City Assessor's Office as well as the uncertainty of outcome which exists if the matter should proceed to a hearing, it is the recommendation of this office that settlement of the above tax appeal should be authorized by City Council as described herein.

Respectfully submitted,

STEPHEN R. SAWYER,
City Attorney.

By COUNCILMAN ADADO—

That we concur in the recommendation of the City Attorney that the settlement of the above tax appeal be authorized.

Carried.

September 4, 1981

President Lucile Belen and

Members of City Council

Re: Carriage House v City of Lansing MTT Dockett No. 45535

Dear President Belen and Members of City Council:

On June 27, 1980, Petitioner filed the above referenced appeal with the Michigan Tax Tribunal complaining that a certain parcel of real property located at 4401 North Grand River Avenue in the City of Lansing had been assigned an assessed value for the purpose of property taxes in excess of 50% of its true cash value and therefore was illegally assessed. Subsequently, the petition was amended to include the 1981 tax year. The City of Lansing filed its answer in the matter

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asserting that the assessed value which was assigned the subject property by the City Assessor was not in excess of 50% of the property's true cash value and therefore, was legally assessed.

Pursuant to Michigan Tax Tribunal Rules, a counsel conference was held in the City Assessor's Office. Representatives of Carriage House Apartments and the City Assessor's Office were present and both parties exchanged information. Based upon the information which was submitted at the counsel conference by the petitioner, the City Assessor and the petitioner have agreed on a tentative settlement in this matter. Pursuant to that agreement, the petitioner and the City Assessor are willing to agree that the assessed value of the property for the 1980 tax year and the 1981 tax year should be $100,000. The City Assessor feels that this amount is justifiable in light of the information now available to him instead of the original assessment amount of $110,000.

Based upon the recommendation of the City Assessor's Office as well as the uncertainty of outcome which would exist if the matter should proceed to a hearing, it is the recommendation of this office that settlement of the above tax appeal should be authorized by City Council as described herein.

Respectfully submitted,

STEPHEN R. SAWYER,
City Attorney.

By COUNCILMAN ADADO—

That we concur in the recommendation of the City Attorney and that the settlement of the above tax appeal should be authorized.

Carried.

September 4, 1981

President Lucile Belen and
Members of City Council

Re: Appointment of Outside Counsel for Veterans Preference Hearing

Dear President Belen and Members of City Council:

Recently, as a result of disciplinary action, Officer Billy McClain was discharged from the Lansing Police Department. On August 14, he requested a Veterans Preference hearing pursuant to the provisions of the Michigan Veterans Preference in Employment Act. Also pursuant to the provision of that Act, Mayor Gerald Graves has appointed the Law Department of the City of Lansing to conduct Officer McClain's hearing. Because this office has been appointed to conduct the Veterans Preference Hearing, it would create an appearance of conflict of interest for an attorney from this office to represent the City of Lansing in that hearing. Therefore, it is necessary for the City of Lansing to retain outside counsel to protect its interests in the matter. For the purpose of securing such representation, I hereby recommend the City Council authorize the retention of Mr. John Mertz to represent the City of Lansing. Mr. Mertz is a local attorney with offices in the downtown area and possesses both the skill and experience to represent the City of Lansing well in this matter. Mr. Mertz will be compensated for his services on an hourly basis at the rate of $60.00 per hour. In my opinion the hourly rate is not excessive in light of Mr. Mertz's experience and in light of the rates being charged by other attorneys in the area.

Because State law requires that Mr. McClain be provided his hearing no later than September 13, 1981, I would appreciate City Council's expeditious approval of this matter.

Respectfully submitted,

STEPHEN R. SAWYER,
City Attorney.

By COUNCILMAN ADADO—

That we concur in the recommendation of the City Attorney and that Mr. John Mertz be retained to represent the City of Lansing at the basic rate of $60.00 per hour.

Carried.

September 3, 1981

Mayor Gerald W. Graves,

Council President Lucile Belen
and Members of the City Council

Re: Jackson National Life Insurance Company EDC Project

Dear Mayor Graves, President Belen and Council Members:

At the regular monthly meeting of the Lansing Economic Development Corporation Board of Directors, held on September 2, 1981, by a vote of 7-0, the Board of Directors approved the Resolution Recommending Approval of the Project Plan for the Jackson National Life Insurance Company (attached).

Sincerely yours,

EMERSON B. OHL,
Executive Director.

Referred to Committee on Ecoonmic Development.

September 3, 1981

Mayor Gerald W. Graves,

Council President Lucile Belen
and Members of the City Council

Re: Bauch Building (Capitol Hall) EDC Project

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Dear Mayor Graves, President Lucile Belen and Council Members:

At the regular monthly meeting of the Lansing Economic Development Corporation Board of Directors, held on September 2, 1981, by a vote of 6-0, the Board of Directors approved the Resolution Recommending Approval of the Project Plan for the Bauch Building Project (Capitol Hall) which is attached.

Sincerely yours,

EMERSON B. OHL,
Executive Director.

Referred to Committee on Economic Development.

DATE: 9/3/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Director of Building Safety and Development Re: Grass Cutting Assessment for December 1981 Tax Roll (L-20)

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

By COUNCILMAN WORTHINGTON—

That we concur in the recommendation of the Mayor and said assessments be placed on the December tax roll.

Carried.

DATE: 9/3/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Director of Building Safety and Development Re: Grass Cutting Assessment for December 1981 Tax Roll (L-20)

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

By COUNCILMAN WORTHINGTON—

That we concur in the recommendation of the Mayor and said assessments be placed on the December tax roll.

Carried.

DATE: 9/1/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Director of Building Safety and Development Re: Trash in R-O-W Removal Assessment for December 1981 Tax Roll (V-3)

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

By COUNCILMAN WORTHINGTON—

That we concur in the recommendation of the Mayor and said assessments be placed on the December tax roll.

Carried.

DATE: 9/3/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Public Service Director Re: Aurelius Road Landfill—Approval of Extension of Work Hours

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

By COUNCILMAN WORTHINGTON—

That we concur in the recommendation of the Mayor that said request for approval of extension of work hours and Saturdays if needed.

Carried.

September 4, 1981

Council President Lucile Belen and Members of the Lansing City Council

10th Floor, City Hall

Lansing, Michigan 48933

Dear Council President and Members:

On Thursday, September 3, 1981, the Demmer Corporation presented members of my administration with a Development Plan for the "Diamond Reo Industrial Park." This Plan was submitted in accordance with requirements set forth in the "Memorandum of Understanding for Purchase and Development of the Diamond Reo Property" which you approved on April 13, 1981 and subsequently extended by action taken on July 27, 1981; it is now being forwarded for your information and review.

My Economic Development Advisory Group is presently coordinating our review of the Demmer Development Plan; they intend to provide you with a report on the

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Development Plan by September 21 so that you may act on it at your September 28 meeting. A presentation by Demmer Corporation officials will be arranged for you in the interim period. Within one month of your approval of the Development Plan, we shall complete the sale of the Reo Property to the Demmer Corporation in accordance with our agreement set forth in the "Memorandum of Understanding. . . ."

Economic Development Advisory Group Chairman, Alan E. Tubbs, remains the contact person for information regarding the Development Plan and communication with the Demmer Corporation.

Sincerely,

GERALD W. GRAVES,
Mayor.

Referred to Committee of the Whole.

August 31, 1981

Council President Lucile Belen and
Members of the Lansing City Council

10th Floor, City Hall

Lansing, Michigan 48933

Dear Council President and Members:

Attached please find a recommendation from Property Manager Sam Clay and Purchasing Director Vaughan McKinch regarding bids for sale of the Genesee Center.

Their correspondence indicates that one bid was received from Christopher K. Cooke for the $30,000 price at which the property was appraised by the City Assessor. Mr. Cooke proposed terms of a $5,000 down payment, balance of $25,000 at 11% interest with payments of $260 per month and a five year balloon payoff.

The City Council resolution of June 1, 1981, as proposed by the Ways and Means Committee, "authorizes the Administration to explore other options, including sale of the property." The resolution was adopted unanimously. In accordance with that resolution, I am submitting this proposed sale to you with my fullest support for your concurrence. This building has ben a financial and manpower drain on the City's resources, and I believe this sale is in the best interests of the City of Lansing.

Sincerely,

GERALD W. GRAVES,
Mayor.

Referred to Committee on Public Property and Safety.

September 3, 1981

Council President Lucile Belen and
Members of the Lansing City Council

10th Floor, City Hall

Lansing, Michigan 48933

Dear Council President and Members:

I wish to offer my concurrence to the Planning Board recommendation to sell vacant property north of and adjacent to 519 S. Foster, and recommend City Council action to approve same.

I wish to make particular note of item E in the Planning Board's recommended conditions, "that the proceeds from the sale of this property be designated for Park use." I do not believe this is generally in the purview of the Planning Board, and I have opposed such earmarking of funds in the past. I concur with this provision in this instance because the property in question has previously been designated into an undeveloped park land grouping by City Council and is subject to City Council's resolution of December 10, 1979, regarding disposal of parkland. The germane portion of that resolution reads: ". . . B) Disposal of Park Land Unsuitable for Park Development: If a certain piece of park land should become unsuitable for park/recreation use, the City shall provide for its disposal through the exchange for more suitable land if possible. When exchange is not feasible or beneficial, such property may be sold and the funds from disposal shall be credited for park land acquisition or for suitable development projects. . . ." Because of that condition on this sale, I concur with all recommendations of the Planning Board.

Sincerely,

GERALD W. GRAVES,
Mayor.

Referred to Committee on Public Property and Safety.

DATE: 9/3/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Planning Director
Re: ACT-35-81—Sale of City property on S. Logan Street

ACT-31-81—Easement vacation Block 135, Original Plat

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Public Property and Safety.

DATE: 9/3/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

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SUBJECT: Concurrence with attached correspondence from the Planning Director

Re: Z-25-81—6000 Block of Grovenburg Road

Z- 7-81—1832 Hoyt Avenue

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Physical Development.

DATE: 9/3/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Planning Director

Re: P-13-80—Four Seasons on the River Final Plat

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Physical Development.

DATE: 9/3/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Planning Director

Re: SUP-7-80—200 Mill Street

The atatched correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Physical Development.

## RESOLUTIONS

By COMMITTEE ON PUBLIC PROPERTIES AND SAFETY—

Resolved by the City Council of the City of Lansing:

Whereas, the Lansing Jaycees have requested the City Council's approval to hold their Sixth Annual Oktoberfest, open to the general public, during September 24-27, 1981; and

Whereas, the Committee on Public Properties and Safety has reviewed the following specific requests, which require approval:

1. Hours of Operation
   a. 11:00 A.M. through 11:00 P.M., September 24th
   b. 11:00 A.M. through 12 Midnight, September 25th
   c. 11:00 A.M. through 12 Midnight, September 26th
2. To sell beer and wine during the above periods of time.
3. To sell food during the above periods of time.
4. To use the 100 Block property as the site for the event from 6 p.m., September 24th through 6 p.m., September 27th.

and

Whereas, the Jaycees have agreed to provide adequate sanitary facilities, first aid station, trash receptacles, public address system, and security, and have agreed to pay the Municipal Parking System for lost revenues on the 100-block parking lot during their period of usage, and will repair all damages to the asphalt surface and clean the lot, flushing with water if necessary.

Now, Therefore, Be It Resolved the Lansing City Council hereby approves the requested dates, hours of operation, and sale of beer, wine and food for the Sixth Annual Oktoberfest; and

Be It Further Resolved use of the 100 block property is hereby approved, providing the Lansing Jaycees coordinate the location of their tent and festival area with City Staff to insure that the Oktoberfest does not hamper efforts to develop the property; and

Be It Further Resolved the Lansing Jaycees are hereby requested to consult with City staff in the coming year to find an acceptable new downtown home for the Annual Oktoberfest; and

Be It Finally Resolved the City Council extends its full support and best wishes for a successful Oktoberfest in the hope that the citizens of Lansing may enjoy some real "Gemuttlicheit."

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PUBLIC PROPERTIES AND SAFETY—

Resolved by the City Council of the City of Lansing:

Whereas, the Traffic Board has reviewed a request for traffic control devices at certain intersections in the Waverly Heights

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No. 7 Subdivision and recommended that yield signs be installed on Meadowlane at Cambrey; and

Whereas, the Committee on Public Properties and Safety has received a petition from the neighborhood and, after questioning a concerned resident and the Transportation Engineer, offered a compromise course of action;

Now, Therefore, Be It Resolved the Lansing City Council hereby approves the installation of stop signs on Cambrey at Meadowlane for a 60-day trial period; and

Be It Further Resolved the City Council requests a report from the Transportation Division at the end of the trial period, at which time continuing problems at other intersections in the area will be reviewed.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PUBLIC PROPERTIES AND SAFETY—

Resolved by the City Council of the City of Lansing:

Whereas, the Traffic Board has reviewed a request from residents in NDA No. 3 to reduce speeding through an alley north of Pennsylvania Avenue between Grand River Avenue and North Street; and

Whereas, the method of speed control favored by the residents, the Transportation Division, and the Traffic Board is the installation of speed bumps throughout the alley;

Now, Therefore, Be It Resolved the Lansing City Council hereby approves the installation of intermittent speed bumps throughout the alley running north of Pennsylvania Avenue from Grand River Avenue to North Street.

Adopted by the following vote:

Unanimously.

By PHYSICAL DEVELOPMENT COMMITTEE—

Resolved by the City Council of the City of Lansing:

Whereas, Sheffield Boulevard West of Seaway Drive is a dedicated right-of-way, and

Whereas, that portion of Sheffield Boulevard only serves as an entrance to Sheffield Park, and

Whereas, closing the right-of-way and removing the south road will not prohibit essential services nor inconvenience the neighbors,

Now, Therefore, Be It Resolved, the City Council of the City of Lansing hereby authorizes the closing of Sheffield Boulevard west of Seaway Drive and designates that portion as an access to Sheffield Park, and

Be It Further Resolved, the administration through its Department of Parks and Recreation may proceed with the necessary modifications within the right-of-way, including the removal of the south drive, to provide a single park drive.

Adopted by the following vote:

Unanimously.

By PHYSICAL DEVELOPMENT COMMITTEE—

Resolved by the City Council of the City of Lansing:

Whereas, the City of Lansing is rehabilitating the Northside Neighborhood Development Area No. 3 in cooperation with the Federal government for financial assistance all pursuant to Act 344, Public Acts of 1945, as amended; and

Whereas, the City of Lansing has prepared and adopted in Ordinance No. 469 a Physical Development Plan and a plan for relocating families and individuals who are to be displaced by the rehabilitation of said area; and

Whereas, the City of Lansing, acting by and through its Planning and Redevelopment Departments have consulted with Citizens' District Council No. 3 of Neighborhood Development Area No. 3; and

Whereas, that Council has recommended that the rehabilitation strategy adopted as part of the development plan be amended to acquire and demolish 1516 N. High Street; and

Whereas, the Planning Board has reviewed and approved the recommendation to acquire and demolish 1516 N. High Street; and

Whereas, this acquisition and demolition will assist the City and residents in renovating this deteriorated Residential Area and is in compliance with Act 344, Public Acts of 1945, as amended; and

Whereas, the Act requires the City to provide citizens an adequate opportunity to ask questions and express opinions and concerns about modifications to the Physical Development Plan; and

Now, Therefore, Be It Resolved that the City Council of the City of Lansing in satisfying the requirements of Act 344, Public Acts of 1945, as amended, schedule a public hearing on October 5, 1981, to consider the acquisition of 1516 N. High Street.

Adopted by the following vote:

Unanimously.

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By PHYSICAL DEVELOPMENT COMMITTEE—

Resolved by the City Council of the City of Lansing:

Whereas, the City of Lansing is in the process of acquiring property for the Capitol Commons development, and

Whereas, monies must be transferred to facilitate the acquisition of additional properties,

Now, Therefore, Be It Resolved, the City Council of the City of Lansing hereby authorizes the administration, through its Planning Department, to communicate with H.U.D. and request their concurrence with the city's intent to transfer $135,000 from the NSA section 8 relocation project account to the Capitol Commons acquisition, development and relocation account.

Adopted by the following vote:

Unanimously.

By PHYSICAL DEVELOPMENT COMMITTEE—

Resolved by the City Council of the City of Lansing:

Whereas, the Resolution approved by City Council on August 17, 1981, directing the developer to proceed with the construction of sidewalk on the 3100 block of Delta River Drive, and releasing the developer's financial security for the construction of sidewalk on the 3200 block, was not the intent of City Council,

Therefore, Be It Resolved that the Resolution approved by City Council on August 17, 1981, be hereby rescinded and substituted with the following Resolution:

Whereas, the developer is prepared to install sidewalks on the South side of the 3100, 3200 and 3300 blocks of Delta River Drive within Sunset Hills No. 10 Subdivision, and

Whereas, citizens living in the area have expressed concerns both for and against the installation of sidewalks, and

Whereas, the Committee on Physical Development has heard testimony and discussed this matter at length,

Now, Therefore, Be It Resolved, the City Council of the City of Lansing hereby directs the developer to proceed with the construction of sidewalk on the 3100 and 3200 blocks of Delta River Drive, and

Be It Further Resolved, the developer's financial security for the construction of sidewalk on the 3300 block is hereby authorized for release, with the understanding that residents of that block will bear the cost of sidewalk construction should be be ordered in at some future date.

Adopted by the following vote:

Unanimously.

## ZONINGS

By COUNCILMAN WORTHINGTON—

Whereas, by petition duly filed on the 29th day of January, 1979, this Council was petitioned to change the following described property from "F" Commercial District to "H" Light Industrial District, all as set forth in the Zoning Code of this city, and

Whereas, due notice as required by law has been given for a public hearing on said petition, and

Whereas, at such hearing held on the 21st day of May, 1979, all parties interested therein were heard and given due consideration, and

Whereas, the property involved is described as:

Z-6-79—921 E. Grand River Avenue,

more particularly described as:

Parcel No. 3301-10-157-181

The south 5 rods of Lot 1, Block 2, Handy Home Addition, City of Lansing, Ingham County, Michigan;

from an "F" Commercial District to an "H" Light Industrial District; and

Whereas, the Planning Board, at its meeting of April 17, 1981, recommended denial of the petition; and

Whereas, the Physical Development Committee, to whom the report of the Palnning Board was referred, concurs therewith;

Now, Therefore, Be It Resolved that the Council of the City of Lansing hereby ordains that the petition to rezone the above described premises from an "F" Commercial District to an "H" Light Industrial District be denied; and

Be It Further Resolved that the City Clerk be, and she is hereby, directed to notify the petitioner(s) and the property owner(s) of this action.

Adopted by the following vote:

Unanimously.

## PUBLIC IMPROVEMENT IV

By COMMITTEE ON PHYSICAL DEVELOPMENT—

Resolved by the City Council of the City of Lansing:

That the special assessment roll for construction of Sanitary Sewers:

Assessment Roll No. 285

Sanitary—PS 68012

Property Benefited: All lands fronting

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on Aurelius Road from existing sewer at Worden St. north to Wayne St., excepting all public streets and alleys and other lands deemed not benefited.

Assessment Roll No. 285

Sanitary—PS 68004

Property Benefited: All lands fronting on Irene St. from Aurelius Rd. to the East end of street, excepting all public streets and alleys and other lands deemed not benefited.

Assessment Roll No. 285

Sanitary—PS 68012

Property Benefited: All lands fronting on Wayne St. from Aurelius Rd. to the East line of Lot 24, Culver-Dale Subd., excepting all public streets and alleys and other lands deemed not benefited.

Assessment Roll No. 285

Sanitary—PS 86047

Property Benefited: All lands fronting on Richard Rd. from Edgewood Rd. to the South end (I-96), excepting all public streets and alleys and other lands deemed not benefited.

as returned by the City Assessor be and the same is hereby ratified and confirmed, and the Mayor be and hereby is directed to affix within ten days, his warrant directing the City Treasurer to collect said tax on or before the 8th day of December, 1981.

All projects are a part of the Irene and Other Sanitary Sewers Contract, PS 68004.

Adopted by the following vot:

Unanimously.

By COMMITTEE ON PHYSICAL DEVELOPMENT—

Rsolved by the City Council of the City of Lansing:

That the special assessment roll for Curb and Gutter Construction:

Assessment Roll No. 286

Property Benefited: All lands fronting on Seventh Avenue from Randall Street to Vance Street, excepting all public streets and alleys and other lands deemed not benefited.

as returned by the City Assessor be and the same is hereby ratified and confirmed, and the Mayor be and hereby is directed to affix within ten days, his warrant directing the City Treasurer to collect said tax on or before the 8th day of December, 1981.

This project will be included as part of the 1981 Local Street Curb and Gutter Repair Contract, PS 227041.

Adopted by the following vote:

Unanimously.

By COMMITTEE OF THE WHOLE—

Resolved by the City Council of the City of Lansing:

That the Council resolution of July 27, 1981, regarding traffic circulation in the Boston Boulevard/Mt. Hope/Barnes/Logan area be amended as follows:

In the sub-paragraph designated III A, delete the period after "prohibited" and add the following to finish the sentence: "except on Saturdays, Sundays, and holidays."

By COUNCILMAN ADADO—

That this be amended to read as follows:

After the word "prohibited" delete the sentence following and add "on workdays, Monday through Friday except holidays, between the hours of 6:00 a.m. and 6:00 p.m."

Discussion was held on this.

By COUNCILMAN BLAIR—

This be referred to the Committee on Public Properties and Safety and the City Clerk place this on the agenda for Monday, September 14, 1981.

Carried.

By WAYS AND MEANS COMMITTEE—

Resolved by the City Council of the City of Lansing:

That the balance requested, or the remaining unexpended balance as indicated, in the following account at June 30, 1981, be reappropriated and brought forward to indicate accounts in the 1981-82 budget year.

Account No. 101-936-120-975

Ball Room Facility—100 Block Project

Estimated Amount—$1,335,000.

By COUNCILMAN McKANE—

That in the description the word "convention" be added before the word "Ball Room Facility."

Carried.

The resolution as amended was adopted by the following vote:

Unanimously.

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By COUNCILMAN GUNTHER—

Resolved by the City Council of the City of Lansing:

That Councilman Lindemann be excused from the session.

Carried.

**REMARKS BY THE MAYOR OR HIS EXECUTIVE ASSISTANT**

No comments.

**REMARKS BY THE CITY COUNCIL— SUSPENSION OF RULES**

By COUNCILMAN ADADO—

Resolved by the City Council of the City of Lansing:

That the rules of the Council be waived for the purpose of presenting items that are not listed on the agenda.

Carried.

Request from the Disabled American Veterans—Capitol City Chapter No. 8 for permission to sell their Forget-Me-Not flowers on the streets on September 25 and 26, 1981.

By COUNCILMAN GUNTHER—

That permission be granted.

Carried.

By COUNCILMAN BRENKE—

That the Committee on General Services be discharged.

Carried.

By COUNCILMAN BRENKE—

Resolved by the City Council of the City of Lansing:

Whereas, the Demolition Hearing Board has determined that a structure at 1306 E. Michigan Avenue is unsafe and recommended that it be demolished or otherwise made safe;

Now, Therefore, Be It Resolved the Lansing City Council hereby sets a public hearing on the proposed order to demolish or make safe for Monday, September 21, 1981, at 7:00 p.m., in the 10th floor chambers of City Hall.

Adopted by the following vote:

Unanimously.

By COUNCILMEN GUNTHER-BLAIR—

Resolved by the City Council of the City of Lansing:

Whereas, Local 724 of the United Auto Workers Union is engaged in a strike at the Melling Drop Forge facility; and

Whereas, parking is restricted on Benjamin Street and striking employees have no place to park their automobiles;

Now, Therefore, Be It Resolved the City Council of the City of Lansing hereby grants temporary permission for striking members of Local No. 724 to park on the west side of Benjamin Street in the 1800 block; and

Be It Further Resolved, the Administration is directed to inform the Lansing Police Department to suspend the issuance of parking violations in the 1800 block of Benjamin for the duration of the strike.

Adopted by the following vote:

Unanimously.

By COUNCILMAN WORTHINGTON—

Resolved by the City Council of the City of Lansing:

P-5-81

Jamar Park No. 1

Tentative Preliminary Plat Approval

Whereas, pursuant to the Lansing Subdivision Regulations, being Chapter 37 of the Code of the City of Lansing, Mary Ettinger has submitted a proposed plat to be known as Jamar Park Subdivision No. 1 for tentative preliminary approval; and

Whereas, the Lansing Planning Board has reviewed the proposed plat and at their meeting of August 4, 1981, recommended that tentative preliminary approval be denied because of the uncertainty of sewer service to the area; and

Whereas, the Physical Development Committee of the Lansing City Council, to whom the report of the Planning Board was referred, has recommended approval of the subject plat subject to conditions;

Now, Therefore, Be It Resolved that the Council of the City of Lansing hereby grants tentative approval of the preliminary plat of Jamar Park Subdivision No. 1, subject to the following conditions:

1) That the final plat be developed with all public improvements as required by the Lansing Subdivision Regulations and the Michigan State Plat Act.

2) That all lots be graded so that surface water will drain therefrom and will not adversely affect adjacent properties.

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3) That the developer utilize an underground electrical distribution system as indicated by the Board of Water and Light and as specified in Section 37-33.1 of the Lansing Subdivision Regulations.

4) That the necessary utility easements be provided and indicated on the final plat drawings for the installation of utilities.

5) That the requirements of the Fire Marshal be complied with.

6) That the requirements of all other responding agencies be complied with.

7) That the information required in Section 37-15 of the Subdivision Regulations be supplied when the final preliminary plat is submitted.

8) That access to the detention basin areas be provided.

9) That street names be included and cleared with Tri-County Regional Planning Commission.

10) That temporary turn arounds be installed on all stub streets.

11) That the lotting pattern be in conformance with Section 37-23 of the Lansing Subdivision Regulations.

12) That the storm water drainage plan shall be submitted for approval by the City of Lansing and the Eaton County Drain Commission.

13) That the design changes as suggested in the Planning Department Report be incorporated into the design of the subdivision plat at the time final preliminary plat approval is requested.

14) The approval of this plat shall not include more than thirty (30) single family lots in the first phase of development, due to the limitations of sanitary sewers.

15) That this tentative approval of the preliminary plat be extended for a period of twelve (12) months.

Since this subdivision plat will require alterations due to the above conditions and the requirements as outlined in the Planning Board staff report, it is understood that the final preliminary plat will be reviewed by the Planning Department and all other agencies as was done at the time of tentative preliminary review.

It is also understood that the sanitary sewer service is limited in Waverly Road, between Glasgow and Miller Roads at this time. Therefore, development can only occur in accordance with the allocations determined by the Public Service Department.

Lost by the following vote:

Yeas: Councilmen Belen, Gunther, McKane, Worthington—4.

Nays: Councilmen Adado, Blair, Brenke —3.

By COUNCILMAN WORTHINGTON—

I move for reconsideration on the above vote.

Carried.

By COUNCILMAN WORTHINGTON—

Resolved by the City Council of the City of Lansing:

P-6-81

Waverly Meadows Subdivision
Tentative Preliminary Plat Approval

Whereas, pursuant to the Lansing Subdivision Regulations, being Chapter 37 of the Code of the City of Lansing, Bruce Stratton has submitted a proposed plat to be known as Waverly Meadows Subdivision for tentative preliminary approval; and

Whereas, the Lansing Planning Board has reviewed the proposed plat and at their meeting of August 4, 1981, recommended that tentative preliminary approval be denied because of the uncertainty of sewer service to the area; and

Whereas, the Physical Development Committee of the Lansing City Council, to whom the report of the Planning Board was referred, has recommended approval of the subject plat subject to conditions; and

Now, Therefore, Be It Resolved that the Council of the City of Lansing hereby grants tentattive approval of the preliminary plat of Waverly Meadows Subdivision, subject to the following conditions:

1) That the final plat be developed with all public improvements as required by the Lansing Subdivision Regulations and the Michigan State Plat Act.

2) That all lots be graded so that surface water will drain therefrome and will not adversely affect adjacent properties.

3) That the developer utilize an underground electrical distribution system as indicated by the Board of Water and Light and as specified in Section 37-33.1 of the Lansing Subdivision Regulations.

4) That the necessary utility easements be provided and indicated on the final plat drawings for the installation of utilities.

5) That the requirements of the Fire Marshal be complied with.

6) That the requirements of all other responding agencies be complied with.

7) That the information required in Section 37-15 of the Subdivision Regulations be supplied when the final preliminary plat is submitted.

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8) That access to the detention basin areas be provided.

9) That street names be included and cleared with Tri-County Regional Planing Commission.

10) That temporary turn arounds be installed on all stub streets.

11) That the lotting pattern be in conformance with Section 37-23 of the Lansing Subdivision Regulations.

12) That the storm water drainage plan shall be submitted for approval by the City of Lansing and the Eaton County Drain Commission.

13) That the design changes as suggested in the Planning Department Report be incorporated into the design of the subdivision plat at the time final preliminary plat approval is requested.

14) The approval of this plat shall not include more than thirty (30) single family lots in the first phase of development, due to the limitations of sanitary sewers.

15) That this tentative approval of the preliminary plat be extended for a period of twelve (12) months.

Since this subdivision plat will require alterations due to the above conditions and the requirements as outlined in the Planning Board staff report, it is understood that the final preliminary plat will be reviewed by the Planning Department and all other agencies as was done at the time of tentative preliminary review.

It is also understood that the santary sewer service is limited in Waverly Road, between Glasgow and Miller Roads at this time. Therefore, development can only occur in accordance with the allocations determined by the Public Service Department.

Adopted by the following vote:

Yeas: Councilmen Adado, Blair, Brenke, Gunther, McKane, Worthington—6.

Nays: Councilman Belen—1.

Much discussion was held on these two plats.

The Council recessed at 8:15 p.m. and reconvened at 8:27.

By COUNCILMAN ADADO—

That we reconsider the plat of Waverly Meadows Subdivision.

Carried.

The plats of Jamar Park No. 1 and Waverly Meadows Subdivision referred to Committee of the Whole. This to be at Committee of the Whole meeting of September 17, 1981.

Councilman Brenke announced there would be a meeting in the Council Room on Monday, September 14, 1981, at 1:30 p.m. relative to the safety on the river. He has been meeting with the Safety Council, D.N.R., State Journal and Board of Water and Light. This is important because of the activities now taking place on the river. This meeting is to get citizen input.

Mary Haney, North Lansing Association, spoke relative to Case St. and presented letter that was sent to Planning Board relative to "Freedom of Information Act request."

Referred to City Attorney.

Russ Adams of 705 Moores River Dr., spoke in regard to the sale of excess property on Moores River Drive.

By COUNCILMAN BELEN—

That this meeting stand adjourned.

Carried

Council adjourned at 8:50 p.m.

THEO FULTON,
City Clerk.

Lansing, Michigan

September 8, 1981

B

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CITY CLERK'S OFFICE
Room 921, City Hall
Lansing, Michigan 48933

Address Correction Requested

BULK RATE
U. S. POSTAGE
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Permit No. 1461
Lansing, Michigan



# OFFICIAL PROCEEDINGS OF
# THE CITY COUNCIL
## OF THE CITY OF LANSING

## Proceedings, September 14, 1981

CITY COUNCIL ROOMS

Lansing, Michigan

September 14, 1981

The City Council of the City of Lansing, Michigan, met in regular session and was called to order by President Belen.

Present: Councilmen Adado, Belen, Blair, Brenke, Gunther, Lindemann, McKane, Worthington—8.

Absent: None.

The Clerk announced that a quorum of the Council was present.

Invocation was given by Councilman Gunther.

Pledge of Allegiance was led by Councilman Gunther.

### HEARING ON PROPOSED CHANGE IN ZONING CLASSIFICATION

September 14, 1981, at 7:00 o'clock being the time set as the time for holding a hearing on the proposed changes in the Classifications as provided for in the Zoning Code which was passed by the City Council on November 13, 1958, said proposed amendment being as follows:

That the property described as:

Z-24-81 — 2519 N. Grand River Ave.,

be rezoned from "F" Commercial District to "G-2" Wholesale District.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed amendment(s) to the Classifications provided for in the Zoning Code he had the privilege of speaking at this time.

No objections were made to the proposed amendment(s).

Referred to Committee on Physical Development.

### REVIEWING ASSESSMENT ROLLS 287

This is the time set for hearing appeals on the special assessment roll for construc-

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tion of a storm sewer on Midwood St. between Pleasant Grove Road and Wise Road.

No appeals.

This is the time set for hearing appeals on the special assessment roll for construction of a storm sewer on Renee Street from Midwood Street to the south end.

No appeals.

This is the time set for hearing appeals on the special assessment roll for construction of a storm sewer on Orchard Glen Avenue from N. East Street (US-27) to the east end of street.

Donavan Jones, 817 Orchard Glen, spoke.

Referred to Committee on Physical Development.

**THE PUBLIC MAY NOW ADDRESS THE CITY COUNCIL ON ANY OF THE FOLLOWING ITEMS LISTED ON THE AGENDA: COMMUNICATIONS AND PETITIONS, COMMITTEE REPORTS, REPORTS OF CITY OFFICERS AND BOARDS, AND RESOLUTIONS. YOU MAY SPEAK ONLY FOR 3 MINUTES ON ANY ONE ITEM.**

Resolution 5 removed from agenda.

## COMMUNICATIONS AND PETITIONS

The following claims have been filed:

Cyndi Sweeney for damage to her automobile due to hitting a hole in street.

Lansing Mercy Ambulance Service, Inc., for services rendered to Diane Hawkins.

Referred to Mayor, City Attorney.

Requests filed for special 24-hour liquor permits for:

Ingham Medical Center's Employee Services Association — October 2, 1981 — National Guard Armory.

Holt Alumni Association — October 10, 1981 — Washington Avenue Armory.

Referred to Mayor, Committee on General Services.

Request from Robert M. Crosser for permission to conduct the Annual Kiwanis Peanut Day Sale — October 2, 1981.

Referred to Mayor, Committee on General Services.

Request from Norman Eastman for permission to connect to the city sewer.

Referred to Mayor.

Letter from Edelmira Lopez, member of the Lansing Housing Commission, that she has applied for participation in the Housing Rehabilitation Program funded by the City of Lansing's Community Development Block Grant Program.

Referred to Mayor, and City Clerk for filing.

## MAYOR'S EXECUTIVE ASSISTANT COMMENTS ON ANY ITEM ON THE AGENDA:

Mr. Black reported on building permits issued.

## REPORTS OF COMMITTEE

The Committee on PHYSICAL DEVELOPMENT, to whom was referred the rezoning petition Z-23-81 for property at 1000 block of East Mt. Hope Avenue from "D-1" Professional Office District to "J" Parking District, reports as follow:

That said rezoning be approved.

Signed:

SIDNEY P. WORTHINGTON,
LUCILE BELEN,
WILLIAM A. BRENKE,
Committee on Physical Development.

By COUNCILMAN WORTHINGTON—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

The Committee on PHYSICAL DEVELOPMENT, to whom was referred the rezoning petition Z-22-81 for property at 3029 Ruth Avenue from "A" One Family Residential District to a "DM-1" Multiple Dwelling District, reports as follows:

That said rezoning be approved.

Signed:

SIDNEY P. WORTHINGTON,
LUCILE BELEN,
WILLIAM A. BRENKE,
Committee on Physical Development.

By COUNCILMAN WORTHINGTON—

That the report of the Committee be adopted.

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Adopted by the following vote:

Unanimously.

## REPORTS OF CITY OFFICERS AND BOARDS

September 9, 1981

President Lucile Belen and
Members of City Council

Re: Claim of Donna Wynant in the amount of $82.95

Dear President Belen and
Members of City Council:

On June 29, 1981, Donna Wynant submitted a claim against the City of Lansing for damage to her car which resulted from striking a raised manhole cover on Capitol Avenue at Washtenaw. She claims that it cost her $82.95 to repair a bent tie rod and steering column and to have the front end of her car realigned as a result of the accident.

Howard G. McCaffery, Director of Public Service, has advised this office that the manhole cover in question had been raised 1½" in preparation for the resurfacing of Capitol Avenue. Further, according to McCaffery, this is standard construction procedure prior to resurfacing and has presented no traffic hazard in the past.

Michigan law requires that the City of Lansing maintain streets "in reasonable repair," MCLA 691.1402; MSA 3.996(102). Thus the raising of the manhole covers was done in fulfillment of a governmental function, which is generally within municipal immunity from liability, MCLA 691.1407; MSA 3.996(107). However, even if this function were not immune, liability would attach only if the actions of the governmental agency rendered the roadway unsafe or unfit for public travel, MCLA 691.1402; MSA 3.996(102).

Analogous case law has held that a three inch depression of washtub sized circumference did not render a street unfit or unsafe for travel, Jones v City of Detroit, 171 Mich 608 (1912). In the opinion of this office, elevation of manhole covers by one and one-half inches did not constitute an unreasonably dangerous condition.

Therefore it is the recommendation of this office that the claim of Ms. Wynant be denied.

Respectfully submitted,

STEPHEN R. SAWYER,
City Attorney.

By COUNCILMAN ADADO—

That we concur in the recommendation of the City Attorney and said claim be denied.

Carried.

Letter from the City Attorney in regard to redemption of liability in a Workers Compensation Disability Matter and settlement of a veterans preference matter entitled Tommie McPherson v City of Lansing.

By COUNCILMAN BLAIR—

That this be referred back to the City Attorney and the Committee on Ways and Means for further study.

Carried.

September 10, 1981

President Lucile Belen and
Members of City Council

Re: Redemption of Liability in a Workers' Compensation Disability Matter entitled Max R. Miller v City of Lansing

Dear President Belen and
Members of City Council:

In accordance with Article 4, Chapter 3, Section 4-304.7 of the Lansing City Charter, this office hereby requests your authorization to settle the above captioned matter by redeeming the City's liability for the sum of Fourteen Thousand Dollars ($14,000.00).

Mr. Miller filed a petition for benefits under the Workers' Disability Compensation Act alleging a physical disability to his back, head, and neck sustained as a result of a collision in which he was involved while riding a tractor on November 3, 1975. Mr. Miller contended this injury was aggravated on October 16, 1979, when he was potting geraniums at the City's greenhouse. Mr. Miller also alleged he suffered an emotional injury which he honestly perceived was caused by these two work related incidents.

This case was tried before Administrative Law Judge Herbert Sharples on November 26, 1980. Judge Sharples ruled against the City concluding that Mr. Miller had suffered a personal injury for which he was entitled to benefits provided for by the Act. This office has filed an appeal with the Workers' Compensation Appeal Board which has not been heard as of this date.

Under the current law of Workers' Compensation, a claimant is entitled to compensation benefits for emotional injuries if the claimant honestly perceives that his or her emotional injury was caused, aggragated, or accelerated by a work related physical trauma. In this case, Judge Sharples has so concluded concerning Mr. Miller. Thus, while the Workers' Compensation Appeal Board's review is de novo, if the Board also concludes that Mr. Miller did honestly perceive his emotional injury was caused, aggravated, or accelerated by his physical trauma, then the Appeal Board would be required to affirm Judge Sharples' order.

Under current rates, which will be in-

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creased effective January 1, 1982, if the Appeal Board does affirm Judge Sharples' order, the City would be responsible for all of the following:

| | |
|---|---|
| Accrued Benefits through 9/5/81 | $ 9,615.40 |
| Annual Benefits | 7,002.84 |
| Total | $16,618.24 |

Each additional year of liability would cost the City, under 1982 rates, $8,300.00.

As a result, this office has negotiated a settlement in this matter in the amount of Fourteen Thousand Dollars ($14,000.00). This amount represents less than the accrued and one year's liability. In view of the foregoing, it is the recommendation of this office that City Council approve the redemption of liability for the sum of Fourteen Thousand Dollars ($14,000.00).

Respectfully submitted,

CHRIS BERGSTROM
for
STEPHEN R. SAWYER,
City Attorney.

By COUNCILMAN ADADO—

That we concur in the recommendation of the City Attorney and the redemption of liability for the sum of $14,000.00 be approved.

Carried.

DATE: September 8, 1981

TO: Council President Lucile Belen,
Mayor Gerald Graves and
City Clerk Theo Fulton

FROM: Edward J. Piloske,
Principal Internal Auditor

SUBJECT: CETA Interim Monitoring Audit for the FY 1980-81 Michigan Capitol Girl Scout Council Inc. CETA Title II Subgrant.

In accordance with Section 3-402.3 of the City Charter, the Office of Internal Audit submits the following Interim Monitoring Audit report of Michigan Capitol Girl Scout Council Inc's FY 1980-81 CETA Title II contract subgranted by the City of Lansing. The contract period being October 1, 1980 through June 30, 1981.

A response from the agency through the City's Manpower Office is requested pertaining to the Findings & Recommendations section of this report.

Received and placed on file.

September 9, 1981

Honorable Mayor Graves and
Members of the City Council

City of Lansing

Re: September Park Board Meeting

Dear Mayor Graves and Council Members:

The regular September meeting of the Park Board will be held at the Oak Park Maintenance Complex, 717 E. Shiawassee Street. The meeting, set for Wednesday, September 16, 1981, will start by a tour at 7:00 p.m. followed by the business meeting starting at 7:30 p.m.

Announcement of this change in location has been made on Department and City bulletin boards.

Sincerely,

DOUGLAS FINLEY,
Director,
Department of Parks and
Recreation.

Received and placed on file.

DATE: 9/9/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Director of Building Safety and Development. Re: Trash Removal Assessment — December, 1981 Tax Roll (U-21).

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

By COUNCILMAN LINDEMANN—

That we concur in the recommendation of the Mayor and said assessments be placed on the December 1981 tax roll.

Carried.

September 9, 1981

Council President Lucile Belen and
Members of the Lansing City Council

10th Floor, City Hall

Lansing, Michigan 48933

Dear Council President and Members:

The term of Peggy Bokovoy, a member of the Capitol Region Airport Authority expires October 1, 1981. Therefore, I am requesting your consideration and confirmation of her re-appointment to serve on said Board until October 1, 1985.

Trusting this recommendation meets with your approval, I remain

Sincerely,

GERALD W. GRAVES,
Mayor.

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By COUNCILMAN BLAIR—

That we concur in the recommendation of the Mayor and said re-appointment be approved.

Carried.

September 8, 1981

Council President Lucile Belen and
Members of the Lansing City Council

10th Floor, City Hall

Lansing, Michigan 48933

Dear Council President and Members:

The term of Lois Hilday Tomlinson, a member of the Elected Officers Compensation Commission, expires October 1, 1981. Therefore, I am requesting your consideration and confirmation of her re-appointment to this very important board, to serve until October 1, 1988.

Trusting this recommendation meets with your approval, I remain

Sincerely,

GERALD W. GRAVES,
Mayor.

Referred to the Committee of the Whole.

DATE: 9/10/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Mayor's Economic Development Advisory Group. Re: EDC Request for approval of project plan for Bauch Building (Capitol Hall) project.

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Economic Development.

DATE: 9/10/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Mayor's Economic Development Advisory Group. Re: EDC Request for Approval of Project Plan for Jackson National Life Insurance Company expansion project.

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Economic Development.

DATE: 9/10/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the City Controller. Re: Financial Security — Edgewood Glen Subdivision. Request to release $10,010.00 in financial security.

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

By COUNCILMAN McKANE—

That we concur in the recommendation of the Mayor.

Carried.

DATE: 9/10/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Director, Building Safety and Development. Re: Correction to Grass Cutting Assessments 1981 Tax Roll (L-20).

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

By COUNCILMAN LINDEMANN—

That we concur in the recommendation of the Mayor and said assessments be placed on the December 1981 tax roll.

Carried.

DATE: 9/10/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Director, Building Safety and Development. Re: Grass Cutting Assessment for December 1981 Tax Roll (L-20).

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

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By COUNCILMAN LINDEMANN—

The we concur in the recommendation of The Mayor and said assessments be placed on the December tax roll.

Carried.

## RESOLUTIONS

By ECONOMIC DEVELOPMENT COMMITTEE—

RESOLUTION SETTING HEARING DATE (Jackson National Life Insurance Project)

Minutes of a regular meeting of the City Council of the City of Lansing, County of Ingham, Michigan, held at 7:00 o'clock, p.m., Michigan Time, on Monday, September 14, 1981, at which the following members were present:

Councilmen Adado, Belen, Blair, Brenke, Gunther, Lindemann, McKane, Worthington;

and the following were absent:

None.

The following preamble and resolution were offered by Councilman Adado and supported by Councilman McKane.

Whereas, this City Council has heretofore approved a Project Area and established a Project District Area for the Jackson National life Insurance Project (the "Project") of The Economic Development Corporation of the City of Lansing (the "Issuer"); and

Whereas, this City Council has received a Project Plan for said Project and wishes to set a date for a public hearing thereon.

Now, Therefore, Be It Resolved by the City Council of the City of Lansing, as follows:

1. A public hearing upon the Project Plan for said Project shall be held at 7:00 o'clock, p.m., Michigan Time, on the 5th day of October, 1981, in the City Council Chambers, Tenth Floor, City Hall, in the City of Lansing, County of Ingham, Michigan. At such hearing, the City Council of the City of Lansing shall provide an opportunity for interested persons to be heard and shall receive and consider communications in writing with reference to the hearing. The hearing shall provide the fullest opportunity for the expression of opinion, for argument on the merits, and for introduction of documentary evidence pertinent to the Project Plan. The governing body shall make and preserve a record of the public hearing, including all data presented thereat.

2. The City Clerk is hereby directed to publish, post, and mail notice of such hearing, such notice to be substantially in the form attached hereto, in accordance with Section 17 of Public Act No. 338 of the Michigan Public Acts of 1974, as amended.

3. The City Clerk is hereby directed to forward three (3) certified copies of this resolution to the Secretary of the Issuer.

4. All resolutions or parts thereof in conflict with this resolution are hereby repealed, but only to the extent of such conflict.

Yeas: Councilmen Adado, Belen, Blair, Brenke, Gunther, Lindemann, McKane, Worthington.

Nays: None.

Resolution declared adopted.

STATE OF MICHIGAN )
) ss.
COUNTY OF INGHAM )

I hereby certify that the foregoing is a true and complete copy of a resolution adopted at a regular meeting of the City Council of the City of Lansing, County of Ingham, Michigan, held on the 14th day of September, 1981, and that the said minutes are on file in the office of the City Clerk and are available to the public. Public notice of said meeting was given pursuant to and in compliance with Act No. 267, Public Acts of Michigan, 1976.

THEO FULTON,
Lansing City Clerk.

Adopted by the following vote:

Unanimously.

By ECONOMIC DEVELOPMENT COMMITTEE—

City of Lansing
County of Ingham, Michigan

RESOLUTION CALLING FOR A PUBLIC HEARING CONCERNING PROJECT PLAN CONCERNING THE BAUCH BUILDING PROJECT

Minutes of a regular meeting of the City Council of the City of Lansing, County of Ingham, Michigan (the "City Council"), held on September 14, 1981, at 7:00 o'clock p.m., Eastern Time.

Present: Councilmen Adado, Belen, Blair, Brenke, Gunther, Lindemann, McKane, Worthington.

Absent: None.

The following preamble and resolution were offered by Councilman Adado and supported by Councilman McKane.

Whereas, there exists in the City of Lansing, County of Ingham, Michigan (the "City") the need for certain programs to alleviate and prevent conditions of unemployment and revitalize the City's economy and to encourage the location and expansion of commercial enterprises to provide needed services and facilities to the City and its residents; and

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Whereas, a program to alleviate the aforesaid conditions and accomplish said purposes has been initiated by The Economic Development Corporation of the City of Lansing (the "Corporation"); and

Whereas, the Corporation in conformity with Act 338 of the Public Acts of 1974, as amended ("Act 338"), has prepared and submitted a project plan for a commercial establishment to be owned by Bauch Building, Inc.; and

Whereas, pursuant to Act 338 it is necessary to hold a public hearing concerning said project plan prior to taking legislative action relating to it;

Now, Therefore, Be It Resolved that:

1. Pursuant to the aforesaid Act 338 the City Council shall meet on October 5, 1981, at 7:00 o'clock p.m., at which time it shall conduct a public hearing on the Corporation's submission of the project plan.

2. The Clerk be and is hereby directed to give notice of such public hearing by (1) publishing a notice thereof in The State Journal, a newspaper of general circulation in the City; (2) posting in at least ten (10) conspicuous and public places in the project district area; and (3) mailing to the last known owner of each parcel of real property in the project district area at the last known address of the owner as shown by the tax assessment records, which notices shall be published and given at least ten (10) full days prior to the date set for said hearing.

3. Said notice shall be in substantially the following form:

OFFICIAL NOTICE TO THE CITIZENS OF THE CITY OF LANSING OF PUBLIC HEARING TO CONSIDER APPROVAL OF A PROJECT PLAN AS SUBMITTED TO THE CITY COUNCIL OF THE CITY OF LANSING BY THE ECONOMIC DEVELOPMENT CORPORATION OF THE CITY OF LANSING FOR THE BAUCH BUILDING PROJECT

Please Take Notice that pursuant to Act 338 of the Public Acts of Michigan of 1974, as amended, The Economic Development Corporation of the City of Lansing has submitted a project plan to the City for its approval.

Said project plan deals with the construction of a commercial facility and details all information required by law relative to said project and its impact on the community. The project will not require the displacement and relocating of any persons. The location of the project plan area is 115 West Allegan.

The Lansing City Council will meet at 7:00 o'clock p.m., Eastern Daylight Time, on Monday, the 5th day of October, 1981, at the City Council Chambers located at 120 W. Michigan Avenue, Lansing, Michigan, and will conduct a public hearing on the advisability of approving by resolution the project plan.

The City Council may approve, modify or reject said project plan.

This Notice is given pursuant to the requirements of Sections 10 and 17 of Act No. 338, Public Acts of Michigan, 1974, as amended. Further information, including maps, plats and a description of the proposed project plan, are available for public inspection at the City Clerk's office.

All interested citizens are encouraged and will be offered an opportunity at said hearing to address the City Council concerning any aspect of said project plan.

THEO FULTON,
City Clerk.

4. The City Council does hereby determine that the foregoing form of notice and the manner of publication directed is adequate notice to the citizens of the City and is well calculated to inform them of the intention of the City Council to hold a public hearing and the purpose of the public hearing.

5. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same hereby are rescinded.

Ayes: Councilmen Adado, Belen, Blair, Brenke, Gunther, Lindemann, McKane, Worthington.

Nays: None.

Resolution declared adopted.

THEO FULTON,
City Clerk.

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City Council of the City of Lansing, County of Ingham, Michigan, at a regular meeting held on September 14, 1981, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, and that the minutes of said meeting were kept and will be or have been made available as required by said Act.

THEO FULTON,
City Clerk.

Adopted by the following vote:

Unanimously.

By ECONOMIC DEVELOPMENT COMMITTEE—

Resolved by the City Council of the City of Lansing:

Whereas, the Lansing City Council has established a Lansing Commercial Redevelopment District CRD-14-80 in the City of Lansing, pursuant to Act 255, 1978 and,

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Whereas, Capitol Park Motor Hotel, Inc., has submitted an application for a Commercial Facility Exemption Certificate in said Commercial Redevelopment District CRD-14-80 and,

Whereas, a hearing was held on Capitol Park Motor Hotel, Inc.'s application for an exemption certificate on August 24, 1981, at which time all interested persons had an opportunity to be heard, and,

Whereas, Capitol Park Motor Hotel, Inc., has met the requirements for said exemption certificate as required in Public Act 255, and

Whereas, this Council finds that the granting of this exemption certificate, considered together with the aggregate amount of Industrial Facilities and Commercial Redevelopment Exemption Certificates previously granted and currently in force shall not have the effect of substantially impeding the operation of the City of Lansing nor impairing the financial soundness of taxing units levying ad valorem property taxes in the City of Lansing; see memorandum of the Finance Director dated August 14, 1981; attached hereto;

Now, Therefore, Be It Resolved that the Council of the City of Lansing approve the application from Capitol Park Motor Hotel, Inc., for an exemption certificate in Lansing Commercial Redevelopment District CRD-14-80 and shall remain in effect for a period of 12 years.

Adopted by the following vote:

Unanimously.

By ECONOMIC DEVELOPMENT COMMITTEE—

Resolved by the City Council of the City of Lansing:

Whereas, the Lansing City Council has established a Lansing Plant Rehabilitation District No. 5 in the City of Lansing, pursuant to Act 198, 1974 and

Whereas, Fisher Body Division of General Motors Corporation has submitted an application for an Industrial Facility Exemption Certificate in said Plant Rehabilitation District No. 5, and

Whereas, a hearing was held on Fisher Body Division of General Motors Corporation's application for an exemption certificate on August 31, 1981, at which time all interested persons had an opportunity to be heard, and

Whereas, Fisher Body Division of General Motors Corporation has met the requirements for said exemption certificate as required in Public Act 198, and

Whereas, this Council finds that the granting of this exemption certificate, considered together with the aggregate amount of Industrial Facilities and Commercial Redevelopment Exemption Certificates previously granted and currently in force shall not have the effect of substantially impeding the operation of the City of Lansing nor impairing the financial soundness of taxing units levying ad valorem property taxes in the City of Lansing; see memorandum of the Finance Director dated August 14, 1981 attached hereto;

Now Therefore Be It Resolved that the Council of the City of Lansing approve the application from Fisher Body Division of General Motors Corporation for an exemption certificate for a new facility in Lansing Plant Rehabilitation District No. 5 and shall remain in effect for a period of 12 years.

Adopted by the following vote:

Unanimously.

Councilman Blair wanted it known that Fisher Body Division of General Motors Corporation had been an outstanding neighbor in the community as to the solving of problems, i.e., truck traffic, air quality, noise, parking and help to Verlinden School playground.

By COMMITTEE OF THE WHOLE—

Resolved by the City Council of the City of Lansing:

That the Council resolution of July 2, 1981, regarding traffic circulation in the Boston Blvd./Mt. Hope/Barnes/Logan area be amended as follows:

In the sub-paragraph designated IIIA, delete the period after "prohibited" and add the following to finish the sentence:

"except on Saturdays, Sundays and holidays."

By COUNCILMAN ADADO—

That the traffic light at the corner of Barnes Avenue and Logan Street be operative, stop and go, until 10:00 p.m. and left turns be allowed Saturday and Sundays.

Adopted by the following vote:

Unanimously.

That the resolution as amended be adopted.

Carried.

By COUNCILMAN BELEN—

Resolved by the City Council of the City of Lansing:

Whereas, the Mayor's letter and the attached report regarding the Demmer Corporation's use of the Daimond Reo Indus-

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trial Park were referred to the Committee of the Whole at the Council Meeting of September 8, 1981; and

Whereas, it has been determined that consideration of this report by additional Council committees would be beneficial;

Now, Therefore, Be It Resolved the Diamond Reo Industrial Park Plan is hereby referred to the Committees on Physical Development and Economic Development for review prior to discussion at the Committee of the Whole.

Adopted by the following vote:

Unanimously.

By COUNCILMAN WORTHINGTON—

Resolved by the City Council of the City of Lansing:

P-7-81
Berkey Industrial Park Subdivision
Final Preliminary Plat Approval

---

Whereas Ben Berkey has requested final approval of the preliminary plat of Berkey Industrial Park; and

Whereas the Lansing Planning Department, in accord with the provisions of Section 37-8(5) of the Lansing Subdivision Regulations, has reviewed this request and recommended approval thereof; and

Whereas the Physical Development Committee of the City Council has reviewed the report of the Planning Department and concurs therewith;

Now, Therefore, Be It Resolved that the preliminary plat of Berkey Industrial Park Subdivision be given final preliminary approval subject, however, to all of the conditions set forth by the City Council at the time of tentative preliminary approval.

Adopted by the following vote:

Unanimously.

By COUNCILMAN WORTHINGTON—

Resolved by the City Council of the City of Lansing:

That the following appointments to the Citizens' District Council No. 2 (Eastside) be confirmed:

| Name/Address | Date of Expiration |
|---|---|
| Gary Peterson<br>1000 Dakin Street<br>Lansing, Michigan | May 5, 1983 |
| Pat Sabrosky<br>3320 Parkview<br>Lansing, Michigan | May 5, 1984 |
| Johnny Hood<br>1217 E. Main<br>Lansing, Michigan | May 5, 1984 |

Adopted by the following vote:

Unanimously.

By COUNCILMAN WORTHINGTON—

Whereas, by petition duly filed on the 15th day of June, 1981, this council was petitioned to change the following described property from "D-1" Professional Office District to "J" Parking District all as set forth in the Zoning Code of this city, and

Whereas, due notice as required by law has been given for a public hearing on said petition, and

Whereas, at such hearing held on the 31st day of August, 1981, all parties interested therein were heard and given due consideration, and

Whereas, the property involved is described as:

Z-23-81 — 1000 block of East Mount Hope Avenue;

more particularly described as:

Parcel numbers 3301-32-383-131, 3301-32-383-141, 3301-32-383-151. Lots 58, 59 and 60, plat of Parkdale Subdivision of a part of the east ½ of the southwest ¼ of Section 22, T4N, R2W, City of Lansing, Ingham County, Michigan,

from a "D-1" Professional Office District to a "J" Parking District.

Whereas the Planning Board, at their meeting of July 21, 1981, recommended that the petition be approved subject to the condition that the existing setback be maintained; and

Whereas the Physical Development Committee of the Council, to whom the report of the Planning Board was referred, concurred therewith;

Now, Therefore, Be It Resolved that the Council of the City of Lansing hereby ordains that the petition to rezone the above described property from a "D-1" Professional Office District to a "J" Parking District be approved; and

Be It Further Resolved that this approval is subject to the condition that the existing setbacks, landscape, screening and buffering be maintained; and

Be It Finally Resolved that the City Clerk be, and she is hereby, directed to notify the petitioner of this action and the conditions thereof.

Adopted by the following vote:

Unanimously.

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By COUNCILMAN WORTHINGTON—

Whereas, by petition duly filed on the 9th day of June, 1981, this council was petitioned to change the following described property from "A" One Family Residential District to "DM-1" Multiple Family Dwelling District all as set forth in the Zoning Code of this city, and

Whereas, due notice as required by law has been given for a public hearing on said petition, and

Whereas, at such hearing held on the 31st day of August, 1981, all parties interested therein were heard and given due consideration, and

Whereas, the property involved is described as:

Z-22-81 — 3029 Ruth Avenue;

more particularly described as:

Parcel number 3301-27-428-061; Lot 39, Goodhome Subdivision, City of Lansing, Ingham County, Michigan;

from a "A" One Family Residential District to a "D-M:1" Multiple Dwelling District.

Whereas the Planning Board, at their meeting of July 21, 1981, recommended approval of the request and reported that the property is located within the base (100 year) flood plain of the Sycamore Creek and development is subject to approval of a special permit to alter or occupy the flood plain; and

Whereas the Physical Development Committee of the City Council, to whom the report of the Planning Board was referred, concurred therewith;

Now, Therefore, Be It Resolved that the Council of the City of Lansing hereby ordains that the petition to rezone the above described premises from an "A" One Family Residential District to a "D-M:1" Multiple Dwelling District be approved; and

Be It Further Resolved that development of this property is subject to review and approval in accord with the provisions of the City of Lansing Flood Plain Control Ordinance, being Article V of Chapter 36 of the Code of the City of Lansing, and the State of Michigan Flood Plain Regulatory Authority, being Act 245, Public Acts of 1929 as amended, by Act 167, Public Acts of 1968; and

Be It Finally Resolved that the City Clerk be, and she is hereby, directed to notify the petitioner of this action and the conditions thereof.

Adopted by the following vote:

Unanimously.

By WAYS AND MEANS COMMITTEE—

Resolved by the City Council of the City of Lansing:

FY 81-82

That the following transfer be approved:

$500.00 from District Court Library
A/C 760-136-000-980

500.00 from District Court Expenditures
A/C 101-136-000-700

$500.00 to District Court Estimated Revenues
A/C 760-136-000-160

500.00 to General Fund Fund Balance
A/C 101-000-000-390

I hereby certify that this is properly drawn and eligible transfer.

JAMES W. DOWSETT,
Finance Director.

Approved:
TERRY J. McKANE,
JACK D. GUNTHER,
WILLIAM A. BRENKE,
Ways and Means Committee.

Adopted by the following ovte:

Unanimously.

Councilman Adado left the session.

By WAYS AND MEANS COMMITTEE—

Resolved by the City Council of the City of Lansing:

(Fiscal Year 80-81 Year-end)

That the following transfers be approved:

$700,000.00 from Police Administration—Salaries
A/C 101-305-000-702

250,000.00 from Police Central Records—Salaries
A/C 101-308-000-702

$950,000.00 to General Fund Balance
A/C 101-000-000-390

$ 21,093.00 from Police—911 Salaries
A/C 101-309-000-702

$ 1,851.00 to Police 911—Operating Supplies
A/C 101-309-000-740

14,123.00 to Police 911—Misc. & Operating Exp.
A/C 101-309-000-741

5,119.00 to Police 911—Repair & Maintenance
A/C 101-309-000-730

$ 93,081.00 from General Fund Fund Balance
A/C 101-000-000-390

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$ 93,081.00 to Police—911 Uncollectable Start-up Costs
A/C 101-309-000-957

$ 907.00 from Public Works—Field Operations—Utilities
A/C 101-442-000-920

$ 907.00 to Other Operations—Flood Control—Utilities
A/C 101-445-017-920

$ 8,771.27 from Golf—Operating Supplies
A/C 101-721-000-740

3,146.85 from Recreation—Misc. and Operating Exp.
A/C 101-725-500-741

7,158.05 from Comp. Sport—Misc. and Operating Exp.
A/C 101-727-500-741

$ 19,076.17 to Loss on Inventory
A/C 101-781-000-959

$211,382.00 from General Fund Fund Balance
A/C 101-000-000-390

$211,382.00 to General Administration Fringe Ben.
A/C 101-930-000-715

$ 2,875.00 from Estimated Revenues
A/C 101-000-000-160

$ 2,875.00 to Fine Arts Council
A/C 101-934-093-969

$ 344.00 from Wages—Hourly
A/C 202-470-000-706

130.00 from Fringe Benefits
A/C 202-470-000-715

170.00 from Equip. Rental Utility Pavement Cuts
A/C 202-470-000-943

$ 344.00 to Wages—Hourly
A/C 202-471-000-706

130.00 to Fringe Benefits
A/C 202-471-000-715

170.00 to Equipment Rental Roadside Mowing
A/C 202-471-000-943

$ 92.00 from Materials Utility Pavement Cuts
A/C 203-470-000-782

958.00 from Materials Dust Prevention
A/C 203-468-100-782

$ 92.00 to Material Street Cleaning
A/C 203-466-000-782

958.00 to Materials Unpaved Streets
A/C 203-468-000-782

$ 7,608.00 from Equip. Rental Street Cleaning
A/C 203-466-000-943

$ 7,386.00 to Signals & Electric Signals & Signs
A/C 203-477-000-818

222.00 to Equip. Rental Roadside Mowing
A/C 203-471-000-943

$ 104.00 from Professional Services—Traffic Computer
A/C 203-483-002-801

$ 104.00 to Utilities Traffic Computer
A/C 203-483-002-920

$950,000.00 from Federal Revenues Sharing Fund Balance
A/C 249-000-000-390

$700,000.00 to Federal Revenue Sharing Police Admin.—Salaries
A/C 249-305-000-702

250,000.00 to Federal Revenue Sharing Police Central Records—Salaries
A/C 249-308-000-702

$ 28,382.40 from Contingency—6th Year
A/C 255-941-600-969

$ 28,382.40 to Eastside Peripheral Public Improv.
A/C 253-845-606-974

$ 500.00 from Operating Supplies
A/C 640-965-000-740

330.00 from Equip. Maint. Tractor Operatings
A/C 640-965-000-933

$ 830.00 to Equip. Maint. Shovel Operations
A/C 640-967-000-933

$ 2,528.00 from Equip. Maint. Tractor Operations
A/C 640-965-000-933

2,142.00 from Equip. Maint. Truck Operations
A/C 640-962-000-933

$ 2,528.00 to Equip. Maint, Equip. Operations
A/C 640-968-000-933

2,142.00 to Equip. Maint. Traffic Operations
A/C 640-969-000-933

I hereby certify that this is a properly drawn and eligible transfer.

JAMES W. DOWSETT,
Finance Director.

Approved:

TERRY J. McKANE,
JACK D. GUNTHER,
WILLIAM A. BRENKE,
Ways and Means Committee.

Adopted by the following vote:

Unanimously.

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Councilman Adado returned to the session.

## REMARKS BY THE MAYOR'S EXECUTIVE ASSISTANT

Mr. Black spoke in regard to the traffic light at Riley St. and Cedar St.

## REMARKS BY THE CITY COUNCIL

By COUNCILMAN ADADO—

Resolved by the City Council of the City of Lansing:

That the rules of the Council be waived for the purpose of presenting items that are not listed on the agenda.

Carried.

By COUNCILMEN WORTHINGTON and BLAIR—

Resolved by the City Council of the City of Lansing:

That permission is hereby granted to the North Lansing Community Association and its agents for the sale of beer and wine during the hours of operation of the North Lansing Fish Fest, September 18-20, 1981.

Adopted by the following vote:

Unanimously.

By COUNCILMAN BLAIR—

Resolved by the City Council of the City of Lansing:

Whereas, on February 23, 1981, the City Council unanimously adopted a resolution establishing a NO PARKING AT ANY TIME restriction on the north side of West Michigan Avenue just east of the driveway into City Hall's parking garage; and

Whereas, despite signs noting the restriction, drivers continue to park in this space;

Now, Therefore, Be It Resolved the Lansing City Council hereby establishes a "NO STOPPING, STANDING, OR PARKING AT ANY TIME" restriction on the north side of West Michigan Avenue from 229 feet east of Capitol Avenue to 257 feet east of Capitol Avenue; and

Be It Further Resolved this restriction shall also apply to City-owned vehicles.

Adopted by the following vote:

Unanimously.

By COUNCILMAN TERRY J. McKANE—

Resolved by the City Council of the City of Lansing:

That the following transfers be approved for the Fiscal Year ending June 30, 1981.

$ 1,453.00 from City Clerk—Salaries
A/C 101-215-000-702

$ 1,453.00 to City Clerk Misc. & Operating Expenses
A/C 101-215-000-741

$58,168.00 from Utilities—General Admin.
A/C 590-536-000-920

$58,168.00 to Collection Fee—General Admin.
A/C 590-536-000-803

I hereby certify that this is a properly drawn and eligible transfer.

JAMES W. DOWSETT,
Finance Director.

Adopted by the following vote:

Unanimously.

## PUBLIC IMPROVEMENT III AMENDED

By Committee on PHYSICAL DEVELOPMENT—

Resolved by the City Council of the City of Lansing:

That the special assessment roll for Midwood-Renee Storm Sewer:

Assessment Roll No. 287 Storm

PS 74064

Property Benefited: All lands fronting on Midwood St. between Pleasant Grove Road and Wise Road excepting all public streets and alleys and other lands deemed not benefited;

Assessment Roll No. 287 Storm

PS 74066

Property Benefited: All lands fronting on Renee Street from Midwood Street to the South end excepting all public streets and alleys and other lands deemed not benefited;

Assessment Roll No. 287 Storm

PS 17014

Property Benefited: All lands fronting on Orchard Glen Avenue from N. East Street (US-27) to the East end of street excepting all public streets and alleys and other lands deemed not benefited.

The revised estimated expense of said im-

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provements based upon construction bids are as follows:

Project Number PS 74064

Assessment Roll No. 287

| | |
|---|---|
| Intersection and City Contribution | $70,603.75* |
| Assessable to Property Owners | 27,906.25 |
| Total Project Cost | $98,510.00 |

*Acct. 101-936-617-973

returned by the City Assessor be received and placed on file, and the City Clerk be directed to publish a notice thereof by publication in a local newspaper five days in accordance with Section 28-17, of Chapter 28 of the Code of Ordinances.

Resolved further, that the City Council will meet at the Council Rooms on Monday, the 14th day of September, 1981 at 7:00 o'clock p.m. for the purpose of reviewing said assessment roll.

I hereby certify that funds are available and encumbered for the City of Lansing's share of said project.

STEPHEN W. DUARTE,
City Controller.

Adopted by the following vote:

Unanimously.

Councilman Brenke spoke in regard to the high grass and weeds in certain areas of the city.

Councilman Belen spoke on the award that was given to Theo Fulton, City Clerk, by the Michigan Municipal League.

By COUNCILMAN BELEN—

That this meeting stand adjourned.

Carried.

Council adjourned at 8:35 P.M.

THEO FULTON,
City Clerk.

Lansing, Michigan

September 14, 1981

F/B

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CITY CLERK'S OFFICE
Room 921, City Hall
Lansing, Michigan 48933

Address Correction Requested

BULK RATE
U. S. POSTAGE
PAID
Permit No. 1461
Lansing, Michigan



# OFFICIAL PROCEEDINGS OF THE CITY COUNCIL OF THE CITY OF LANSING

## Proceedings, September 21, 1981

CITY COUNCIL ROOMS

Lansing, Michigan

September 21, 1981

The City Council of the City of Lansing, Michigan, met in regular session and was called to order by President Belen.

Present: Councilmen Adado, Belen, Blair, Gunther, Lindemann, McKane, Worthington—7.

Absent: Councilman Brenke—1.

The Clerk anounced that a quorum of the Council was present.

Invocation was given by Councilman Lindemann.

Pledge of Allegiance was led by Councilman Lindemann.

### PUBLIC HEARING

September 21, 1981 at 7:00 o'clock being the time set as the time for holding a public hearing on the proposed demolition of a building located at 1306 E. Michigan Avenue.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed demolition they had the privilege of speaking at this time.

Genari Pavona, 2315 Tulane Dr., owner of building, spoke.

Referred to Committee on General Services.

### PUBLIC HEARING

September 21, 1981 at 7:00 o'clock being the time set as the time for holding a public hearing on the proposed Commercial Redevelopment Exemption Certificate for:

Triad Investment Firm

1408 and 1414 East Michigan Avenue.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the pro-

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posed certificate they had the privilege of speaking at this time.

Referred to Committee on Economic Development.

Council President Lucile Belen presented Councilman Louis Adado with a plaque and gavel which he used during his terms as Council President 1979 and 1980.

**THE PUBLIC MAY NOW ADDRESS THE CITY COUNCIL ON ANY OF THE FOLLOWING ITEMS LISTED ON THE AGENDA: COMMUNICATIONS AND PETITIONS, COMMITTEE REPORTS, REPORTS OF CITY OFFICERS AND BOARDS, AND RESOLUTIONS. YOU MAY SPEAK ONLY FOR 3 MINUTES ON ANY ONE ITEM.**

Committee Report 2a removed from agenda; was on by mistake.

## COMMUNICATIONS AND PETITIONS

Claim filed by Lewis C. Wright for damage to his automobile wheel due to pot hole.

Referred to Mayor, City Attorney.

The following petitions filed for rezoning:

Z-32-81 —

Lot 29, South Haven Subdivision No. 1, a part of the Southwest ¼ of Section 9, T4N, R2W, City of Lansing, Ingham County, Michigan, from "A" One Family Residential District to "C" Two Family Residential District — (6834 Cooper Rd.).

Z-33-81 —

Part of Lot 7 — White's Subdivision, City of Lansing, Ingham County, Michigan from "C" Two Family Residential District to "DM" Multiple Family Dwelling District — (801 West Saginaw Street).

Referred to Mayor, Planning Board.

Petition filed for the erection of alley lights in the alley of the 1700 block of Davis and Bradley Streets.

Referred to Mayor, Board of Water and Light.

Petition filed requesting the placement of STOP SIGNS on Downey St.

Referred to Mayor.

Letter from the Wolverine Development Corporation requesting the vacation of a portion of Spring Street.

Referred to Mayor.

Application for Commercial Redevelopment District from Eyde Construction Company at 5015 S. Cedar Street (N.E. quadrant of Jolly and Cedar Streets).

Referred to Mayor, Economic Development Corporation.

Request from the Lansing Regional Chamber of Commerce for the City of Lansing's assistance in co-sponsoring next year's "Career Fair" to be held on Wednesday, May 19, 1982.

Referred to Mayor.

Letter from Alice Brady in regard to the pot holes in the city streets.

Referred to Mayor.

Petition filed in regard to the unsightly and unsanitary conditions that exist at 418 Dunlap St.

Referred to Mayor.

Letters from the State of Michigan, Department of Natural Resources, relative:

Flood Plain Permit for Impressions 5 Museum.

Mr. Dan Smith.

Preliminary Plat of Berkey Industrial Park.

Received and placed on file.

## MAYOR'S EXECUTIVE ASSISTANT COMMENTS ON ANY ITEM ON THE AGENDA:

Mr. Black spoke on letter 3f — in regard to the development of the Chadwell Canoe Launch and Dock.

## REPORTS OF COMMITTEES

The Committee on WAYS AND MEANS, to whom was referred the matter of an additional appropriation to fund the facade restoration on the North Lansing Comfort Station, reports as follows:

The additional cost of facade restoration for this structure would be approximately $20,000. As the interior and code work on

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the building are being funded from a separate source and the City's resources are so limited at this time, the committee recommends deleting the comfort station from the Historical Grant and authorizes Mr. Stonehouse to request that grant amendment. Further, the committee would not rule out facade work on the structure at some future date when the budget is less restricted.

Signed:

TERRY J. McKANE,
JACK D. GUNTHER,
Committee on Ways and Means.

By COUNCILMAN McKANE—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

The Committee on GENERAL SERVICES, to whom was referred the ordinance of the City of Lansing providing that the Code of Ordinances be amended by revising Section 2-19.1 of said Code (Water and Light funds; method of disbursement), reports as follows:

That said ordinance be passed.

Signed:

PAT LINDEMANN,
TERRY J. McKANE,
Committee on General Services.

By COUNCILMAN LINDEMANN—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

## REPORTS OF CITY OFFICERS AND BOARDS

September 16, 1981

President Lucile Belen and
Members of City Council

Re: Redemption of Liability in a Workers Compensation Disability Matter and settlement of a Veterans Preference Matter Entitled Tommie McPherson v City of Lansing

Dear President Belen and

Members of City Council:

In accordance with Article 4, Chapter 3, Section 4-304.7 of the Lansing City Charter, this office hereby requests your authorization to settle the above captioned matters by redeeming the City's liability under the Workers' Disability Compensation Act for the sum of Fourteen Thousand Five Hundred Dollars ($14,500.00) as well as Mr. McPherson's dismissal of his Veterans Preference case currently pending in the Ingham County Circuit Court.

Mr. McPherson was first employed by the City of Lansing Parks Department on March 15, 1979. He was terminated on July 3, 1979 for excessive absenteeism. On February 6, 1980, Mr. McPherson had a Veterans Preference Hearing which resulted in a confirmation of his discharge. Subsequent thereto he filed an action in the Ingham County Circuit Court appealing the results of the Veterans Preference Hearing.

On September 24, 1979, approximately two and one half months after his discharge from the City, Mr. McPherson was hired by the Lansing Housing Commission as a laborer. His employment with the Housing Commission was terminated on October 8, 1980 for excessive absenteeism as well as other violations of the personnel rules.

On December 14, 1979, Mr. McPherson injured his back as the result of a slip and fall while working for the Housing Commission. He treated with Dr. Silva and was returned to work with lifting restrictions. On July 11, 1980, Mr. McPherson reinjured his back in another slip and fall and continued to treat with Dr. Silva until December, 1980.

At the conclusion of his treatment with Dr. Silva, Mr. McPherson was experiencing back pain. This was confirmed by Dr. Silva who had Mr. McPherson on lifting restrictions at that time.

In preparation for trial of the Workers Compensation case, Dr. Silva re-examined Mr. McPherson in August of 1981 and determined that Mr. McPherson was no longer disabled as a result of his injuries with the Housing Commission. Mr. McPherson continued to complain of pain and disability at that time.

The Workers Disability Compensation trial was scheduled on September 9, 1981. At that time it was clear to this office that Mr. McPherson would be entitled to compensation benefits through August of 1981 in the amount of approximately $7,200.00. In addition, it was likely that the City would be responsible for payment of approximately $3,300.00 of outstanding medical bills incurred by Mr. McPherson as a result of his continuing back injury. At that this office entered into discussions in an attempt to redeem all of the City's liability including any future weekly benefits, reasonable and necessary medical expenses and any rehabilitation obligations the Bureau may have imposed on the City. A redemption figure of Fourteen Thousand Five Hundred Dollars ($14,500.00) was tentatively agreed to by the parties and additionally Mr. McPherson agreed to waive any rights he may have under the Veterans Preference Act (which would include reinstatement and back pay with the City if he ultimately prevailed).

Based on the foregoing it is the recommendation of this office that the redemption

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of liability in exchange for the sum of Fourteen Thousand Five Hundred Dollars ($14,500.00) and dismissal of the Veterans Preference case be approved.

Respectfully submitted,

STEPHEN R. SAWYER,
City Attorney.

By COUNCILMAN ADADO—

That we concur in the recommendation of the City Attorney and that said settlement be made in the amount of $14,500.00 and a signed agreement to dismiss.

Carried.

DATE: September 16, 1981

TO: Council President Lucile Belen,
Mayor Gerald Graves and
City Clerk Theo Fulton

FROM: Edward J. Piloske,
Principal Internal Auditor

SUBJECT: CETA Interim Monitoring Audit for the FY 1980-81 Safety Council of Greater Lansing Title II Subgrant.

In accordance with Section 3-402.3 of the City Charter, the Office of Internal Audit submits the following Interim Monitoring Audit report of the Safety Council of Greater Lansing FY 1980-81 CETA Title II Subgrant, the contract period being October 1, 1980 thru June 30, 1981.

A response from the agency is requested pertaining to the Findings and Recommendations section of this report.

Received and placed on file.

DATE: 9/15/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Director of Building Safety and Development. Re: Correction to Hazardous Property Assessment 1981 Tax (U-20).

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

By COUNCILMAN LINDEMANN—

That we concur in the recommendation of the Mayor and said assessment be placed on the December 1981 assessment roll.

Carried.

DATE: 9/17/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Parks Director. Re: Placing assessment for removal of dead tree on private property (634 N. Hayford) on special assessment tax roll 47T.

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

By COUNCILMAN LINDEMANN—

That we concur in the recommendation of the Mayor and said assessment be placed on the special assessment tax roll.

Carried.

DATE: 9/16/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the City Controller. Re: Financial Security—Sunset Hills No. 10 — Request to release $12,000.00 in financial security.

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

By COUNCILMAN McKANE—

That we concur in the recommendation of the Mayor and said release of financial security in the amount of $12,000.00 be approved.

Carried.

DATE: 9/17/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the City Controller. Re: Financial Security — Glenburne No. 5 Subdivision — Request to release $164,000.00 in financial security.

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

By COUNCILMAN McKANE—

That we concur in the recommendation of the Mayor and said release of financial security in the amount of $164,000.00 be approved.

Carried.

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DATE: 9/15/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Submission of attached correspondence from the Housing and Community Development Coordinator. Re: Suspension of NIP Program.

The attached correspondence is submitted for your information.

GERALD W. GRAVES,
Mayor.

Received and placed on file.

September 15, 1981

Honorable Council President Lucile Belen and Members of the Lansing City Council

10th Floor, City Hall

Lansing, Michigan 48933

Dear Council President and Members:

Congressman Dunn's Office recently notified my office that our grant application for the development of the Chadwell Canoe Launch and Dock has been approved. Written confirmation is forthcoming.

The total project cost is $106,596 (State share $53,298—City share $53,298), through the Department of Natural Resources Land and Water Conservation Fund. Our matching funds are reserved in the City's Grant Match Account and the funds have been carried forward.

The Chadwell Property is being developed in conjunction with the Salmon Fishing Program. The project will provide a paved walk to the river, a grass canoe portage, and wood fishing dock adjacent to the North Lansing Dam Site.

This communication is forwarded to you for informational purposes.

Sincerely,

GERALD W. GRAVES,
Mayor.

Received and placed on file.

DATE: 9/16/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Property Manager. Re: General Motors Corporation Lease.

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Public Property and Safety.

DATE: 9/16/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Submission of attached correspondence from the Personnel Director. Re: Alleged Unfair Labor Practice Charge, MERC Case No. C-81 H-302, Teamsters Local 580 and City of Lansing.

The attached correspondence is submitted for your information.

GERALD W. GRAVES,
Mayor.

Received and placed on file.

September 18, 1981

Council President Lucile Belen and Members of the Lansing City Council

10th Floor, City Hall

Lansing, Michigan 48933

Dear Council President and Members:

I think it is important that City Council be apprised of a problem relating to the Stop Traffic Accidents Right (STAR) Grant which the City of Lansing received in 1978 from the State Office of Highway Safety and Planning. The State of Michigan, as a result of its audit on this grant, is now requesting that the City of Lansing reimburse to OHSP $43,681 in what the State contends are disallowed costs. The disallowances represent the full amount of a contract between the City of Lansing and Justin Ward Advertising of Okemos, which was selected to handle promotions and public relations related to the STAR Grant. The State audit contends, in summary, that totally insufficient documentation exists to justify payment to Justin Ward.

The City Finance Department, through the Office of the Controller, has made several efforts to work with Justin Ward to document its justifiable costs. The City has also conducted numerous conversations with OHSP staff on this matter. The City has requested an additional meeting of all parties concerned for Thursday, September 24, 1981, before making any decision about what steps would be taken next.

No City Council action is necessary at this time. However, in light of the difficulty encountered so far in making progress to resolve these difficulties, and in light of the State's demands for reimbursement of this significant amount of money, I believe this is a matter of which City Council should be informed. Naturally, City Council will be updated on any additional progress on this matter.

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Sincerely,

GERALD W. GRAVES,
Mayor.

Received and placed on file.

September 17, 1981

Council President Lucile Belen and
Members of Lansing City Council

10th Floor, City Hall

Lansing, Michigan 48933

Dear Council President and Members:

During the Regular Session of Monday, September 14, the Traffic Director was subject to considerable verbal criticism, over a 40 minute period, regarding the traffic control systems at Cedar Street and Riley and at Logan Street and Barnes. As a matter of explanation, please be advised:

LOGAN STREET AND BARNES

Originally, the flashing light operated until 10:00 p.m. and left turns were prohibited from Logan onto Barnes. Per the Department of Transportation of the State of Michigan, the length of the flashing light was changed from 10:00 p.m. to 6:00 p.m. — this was an operational decision.

This past Monday, City Council approved by an 8-0 vote, a Resolution amending a July 2-, 1981, Resolution with the following language, and I quote, "That the traffic light at the corner of Barnes Avenue and Logan Street be operative, stop and go, until 10:00 p.m. and left turns be allowed Saturday and Sundays."

The Executive Assistant to the Mayor was told to direct the Traffic Engineer to be sure that the changes were put into effect this week.

The aforementioned contains several flaws. One, the Resolution of Amendment refers to a date of July 2-, 1981, an erroneous date in need of correcting; two, the singular "Saturday" should be corrected to the plural "Saturdays"; and, three, the Resolution of Amendment should be not one of directing, but one of recommendation and request, inasmuch as, the City of Lansing does not have the control of Logan Street, this being the responsibility of the Department of Transportation of the State of Michigan.

Verbally, the City has received permission from the State Department of Transportation to change the signals to stop-and-go, from 6:00 p.m. until 10:00 p.m., daily. Same is now in effect, per your direction, but permission has not been granted for left hand turns — if same is granted, and this is doubtful, the State will order the necessary signs, signs for which the City will pay 50%, or an estimated $1,000.

The Administration, I am confident, can work out a compromise solution to the operation of the Barnes/Logan intersection with the State Department of Transportation. THIS WOULD PERMIT LEFT TURNS WHEN THE LIGHT IS FLASHING — the flashing schedule would be designed to safely accommodate traffic. From previous studies, the most liberal flashing schedule would be 6:00 p.m. to 6:00 a.m. during weekdays, and all day each Saturday and each Sunday. Special signing undoubtedly will be required to accommodate this situation — However, since the entire intersection is in a trial operation period, said signs probably would be installed only when and if the operation becomes permanent. Standard signing would probably be used during the trial period.

CEDAR STREET AND RILEY

In the recent past, the Traffic Board of the City of Lansing recommended that the traffic signal, at the above-mentioned intersection, be removed. This was based upon recommendations of the Department of Transportation of the State of Michigan AFTER receipt of a letter from the Lansing School District advising no further need for the signal due to closure of Walter French Junior High School.

On August 10, 1981, City Council approved a Resolution opposing the removal of the traffic signal, and then extended "the evening operating time of the signal until 9:00 p.m. . . ." as requested by area residents. Even though City Council has no authority over Cedar Street, the State Departments of Transportation agreed to study the time in question.

This past Monday, City Council maintained that the signal in question was ordered to operate between 7:00 a.m. and 9:00 p.m. for safety reasons of children going to school — instead of 8:10 a.m. to 9:00 p.m., which traffic film and counts show is a proper time. Your Resolution does not address the A.M. factor at all.

Regarding the safety of school children, be advised that the check shows that 12 junior high school students cross at this vicinity in the early A.M. — of the 12, only 3 use the pedestrian overpass at this location, while the other 9 prefer to dance in-and-out of traffic at street level.

I do not think that the verbal accusations directed at the Traffic Engineer were in order. I recommend that if you desire a 7:00 a.m. starting time, you should adopt a resolution of request and recommendation, so that the Administration can present formal input to the State Department of Transportation.

Trusting these matters will be given proper consideration, with, hopefully, input from the Traffic Department, I remain

Sincerely,

GERALD W. GRAVES,
Mayor.

Referred to Committee on Public Property and Safety.

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DATE: 9/17/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Planning Director. Re: Diamond Reo Site Development Plan (Demmer Corporation).

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Economic Development and Committee on Physical Development.

DATE: 9/17/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Mayor's Economic Development Advisory Group. Re: Diamond Reo Site Development Plan (Demmer Corporation).

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Economic Development and Committee on Physical Development.

DATE: 9/17/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Planning Director. Re: P-8-81 — Macron Subdivision — Preliminary Plat Approval; P-9-81 — Webster Farms No. 5 — Preliminary Plat Approval.

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Physical Development.

DATE: 9/17/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Planning Director. Re: ACT-51-81 — 1816 Davis Avenue; ACT-46-81 — Vacation of the 200 Block of East Ottawa Street.

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Physical Development.

September 16, 1981

Council President Lucile Belen and
Members of the Lansing City Council

10th Floor, City Hall

Lansing, Michigan 48933

Dear Council President and Members:

The City of Lansing and Michigan Department of Transportation have recently entered into a contract (Agreement 81-1142) for safety improvements to Interstate 96 between Cedar Street and Waverly Road.

The project is located and described as follows:

The construction of "Yellow Book" safety improvements including guard rail upgrading, slope grading and culvert extension on Highway I-96 from the west corporate limits of the City at Waverly Road easterly to approximately 1,000 feet westerly of Cedar Street; the bridge railing removal, construction of concrete barrier bridge railing and concrete deck overlay on the structure (S01 of 33083) carrying Highway I-96 over Highway M-99 and the structure (S02 of 33083) carrying Highway I-96 over Washington Avenue; all lying within the corporate limits of the City.

The bridge railing removal and construction concrete barrier bridge railing on that part of the structure (S03 of 23151) carrying Waverly Road over Highway I-96 which lies within the corporate limits of the City.

All together necessary related work.

The estimated cost breakdown for the project is as follows:

| | |
|---|---|
| Total Estimated Cost | $650,000.00 |
| Federal Aid | $552,500.00 |
| Balance After Federal Aid | $ 97,500.00 |
| State's Share | $ 85,312.50 |
| City's Share | $ 12,187.50 |

The project is tentatively scheduled to be opened for bids by the Michigan Department of Transportation on November 10, 1981, and completion is scheduled for the summer of 1982.

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Sincerely,

GERALD W. GRAVES,
Mayor.

Referred to Committee on Public Property and Safety.

September 17, 1981

Council President Lucile Belen
and Members of the Lansing City Council

10th Floor, City Hall

Lansing, Michigan 48933

Dear Council President and Members:

The Urban Development Action Grant application for the condominium portion of the Capitol Commons project has been withdrawn from the Department of Housing and Urban Development.

It was determined to do so, after several meetings with the City administration and the developer.

The developer felt that full financing for the project could be obtained from sources other than U.D.A.G., and is proceeding to do so. The plans for the condominium will proceed as anticipated.

Sincerely,

GERALD W. GRAVES,
Mayor, City of Lansing.

Received and placed on file.

## RESOLUTIONS

By Committee of THE WHOLE—

Resolved by the City Council of the City of Lansing:

Whereas, the 25th anniversary celebration of Our Savior Lutheran Church here in Lansing is entitled "With Grateful Hearts," and

Whereas, after branching out from Trinity Lutheran in 1956 with a mission congregation of 178 persons who held worship services in the Everett High School gym, and

Whereas, Our Savior now has over 900 baptized members who worship under the able leadership of Rev. Eldor Bickel who served the congregation as Pastor for 24 of its 25 year history, and

Whereas, Our Savior also has a thriving Christian day school with an enrollment of nearly 240 pupils ranging in age from 5 to 15, and

Whereas, further expansion of the Holmes Road facility is already underway with an eye toward the construction of a Lutheran High School at some future date,

Now, Therefore, Be It Resolved, the City Council of the City of Lansing hereby pays special tribute to the membership of Our Savior Lutheran Church for 25 years of growth and spiritual leadership in our community, and

Be It Further Resolved, the Council extends its best wishes and gratitude to Our Savior Lutheran Church as they celebrate "With Grateful Hearts."

Adopted by the following vote:

Unanimously.

By COUNCILMEN BRENKE,
LINDEMANN, and McKANE—

Resolved by the City Council of the City of Lansing:

That the request submitted to the Council by Robert M. Crosser for permission to conduct the Annual Kiwanis Peanut Day sale on October 2, 1981, at various locations throughout the City is hereby approved, and that a permit be obtained from the City Clerk's office.

Adopted by the following vote:

Unanimously.

By COUNCILMEN BRENKE,
LINDEMANN, and McKANE—

Resolved by the City Council of the City of Lansing:

That the request from the Holt Alumni Association for a 24 hour liquor permit for their Annual Holt Alumni Dance, October 10, 1981 at the Washington Avenue Armory is hereby approved provided the proper approval is given by the Liquor Control Commission.

Adopted by the following vote:

Unanimously.

By COUNCILMEN BRENKE,
LINDEMANN, and McKANE—

Resolved by the City Council of the City of Lansing:

That the request submitted by the Ingham Medical Center's Employees Services Association for a 24 hour liquor permit for a social gathering to be held on October 2, 1981 at the National Guard Armory is hereby approved provided the proper approval is obtained from the Liquor Control Commission.

Adopted by the following vote:

Unanimously.

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By Committee on PUBLIC PROPERTIES AND SAFETY—

Resolved by the City Council of the City of Lansing:

ACT-35-81

Sale of Property on S. Logan Street

---

Whereas, the City Property Manager has requested authorization to dispose of excess City property on S. Logan Street adjacent to the Penn Central Railroad line; and

Whereas, the Planning Board has reviewed the request and recommended approval with stipulations; and

Whereas, the Committee on Public Properties and Safety has concurred in the sale of the property for fair market value to the adjacent property owner, subject to a deed restriction prohibiting the placement of billboards on the property;

Now, Therefore, Be It Resolved the Lansing City Council hereby authorizes the sale of excess City property located on S. Logan Street near the Penn (formerly NY) Central Railroad line, legally described as:

Commencing at the intersection of the east/west one-quarter line, Section 29, and the southeasterly right-of-way line of the NY Central Railroad, thence East 180 feet, thence North 135 feet to the southeasterly right-of-way line of the NY Central RR, thence southeasterly 225 feet, more or less, to point of beginning; Section 29, T4N, R2W,

for fair market value to the adjacent property owner, subject to the following deed restrictions:

1. All utility easements, including currently-used access drives, shall be retained in perpetuity.
2. Construction of structures and billboards on the property shall be prohibited.

Adopted by the following vote:

Unanimously.

By COUNCILMAN WORTHINGTON—

Resolved by the City Council of the City of Lansing:

ACT-33-81

519 South Foster Street

---

Whereas the property owner at 519 South Foster Street has requested to purchase the vacant property north of, and adjacent to, his residence; more particularly described as:

Lot 67 and the south 10 feet of Lot 68, Snyder Subdivision, City of Lansing, Ingham County, Michigan; and

Whereas the Lansing Planning Board, at their meeting of Tuesday, September 1, 1981, voted to recommend the sale of the above described property to the owner of 519 South Foster Street for the purpose of increasing the size of their side yard; and

Whereas the Physical Development Committee of City Council has reviewed and concurs therewith;

Now, Therefore, Be It Resolved that the vacant property north of and adjacent to 519 South Foster Street, more particularly descibed above, be sold to the owner(s) of 519 South Foster Street subject to the following conditions:

A) That the property to be sold is described as Lot 67 and the south 10 feet of Lot 68 of Snyder Subdivision, City of Lansing, Ingham County, Michigan.

B) That the Assessor for the City of Lansing appraise said property and determine a fair market value.

C) That a restriction be placed on the deed prohibiting the building of any structure(s) on the property, as it is in the flood plain.

D) That the purchaser be required to assume all appropriate costs and fees.

E) That the proceeds from the sale of this property be designated for park use.

Adopted by the following vote:

Unanimously.

By COUNCILMAN BLAIR—

Resolved by the City Council of the City of Lansing:

Whereas, President Ronald Reagan has announced his intention to end the Comprehensive Employment and Training Act (CETA) program on September 30, 1982, and phase out the Federal General Revenue Sharing program over a two-year period; and

Whereas, the local CETA program, run by the Tri-County Regional Manpower Consortium, served 10,457 participants in 1980, 95% of whom were economically disadvantaged, with more than one-third receiving some form of public assistance payments; and

Whereas, about 70% of the 1980 participants left the program under positive circumstances, with 2,016 being directly placed in unsubsidized employment, and another 2,949 leaving for such reasons as additional schooling, serving in the armed forces, etc.; and

Whereas, the City of Lansing has received about $3 million per year in General Revenue Sharing funds since the 1972-73

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fiscal year, using this return of Lansing's federal tax dollars to provide critical services to the community, such as the Uniform Division of the Police Department; and

Whereas, loss of anticipated Revenue Sharing income could cause immediate diversion of local fiscal resources away from all discretionary programs, such as parks and recreation, economic development, and human services, including support of community agencies, in order to maintain present levels of service in basic police and fire protection;

Now, Therefore, Be It Resolved, the Lansing City Council hereby opposes the President's plan to delete the CETA and General Revenue Sharing Programs, which have been of great benefit to the Lansing community; and

Be It Further Resolved the City Council urges the U.S. Congress, especially the Michigan delegation, to resist the President's attempts to trim the federal budget at the expense of cities already hard hit by the current recession.

By COUNCILMAN McKANE—

That this be referred to the Committee on Ways and Means.

Carried.

By COUNCILMAN WORTHINGTON—

Resolved by the City Council of the City of Lansing:

P-13-80

Four Seasons on the River
Final Plat

Whereas the final plat of Four Seasons on the River Subdivision has been submitted for approval; and

Whereas the Planning Board has reviewed the final plat of Four Seasons on the River and found it to be in substantial conformance with the preliminary plat and recommended approval subject to conditions; and

Whereas the Physical Development Committee of City Council reviewed the report of the Planning Board and concurred therewith;

Now, Therefore, Be It Resolved that the Council of the City of Lansing ordains that the final plat of Four Seasons on the River Subdivision be approved subject to the following conditions:

1) A restriction prohibiting vehicular access from Lots 1, 3 and 4 to Moores River Drive shall be shown on the face of the plat and recorded therewith.

2) The drive easement providing vehicular access to Lot 4 from Four Seasons Boulevard shall be shown on the face of the plat and recorded therewith.

3) The projected base flood elevation and limits of the base flood plain shall be shown on the face of the plat and recorded therewith.

4) The ten foot (10') public utility easements along Moores River Drive and Four Seasons Boulevard shall be shown on the face of the plat and recorded therewith.

5) The street names shall be cleared and reserved with the Tri-County Regional Planning Commission.

6) The plat shall be reviewed and approved by the State of Michigan Department of Natural Resources, Water Management Division, Subdivision Control Unit.

7) All conditions and recommendations of the various City departments and public agencies shall be adhered to.

8) A deed or abstract of title, accompanied by an attorney's opinion as to the marketability of the land, or a certificate of title insurance shall be submitted to the City Clerk prior to the filing of the plat and the affixing of the Municipal Seal.

9) Financial security, in the amount specified by the Public Service Department and the Department of Parks and Recreation, shall be posted.

10) All conditions outlined in the preliminary plat approval shall be adhered to.

11) The plat shall be served with underground electric distribution extended from the present overhead distribution located at Waverly Road and Cooley Drive, respectively; and easements for the electric facilities shall be permanently recorded prior to their installation; and

Be It Further Resolved that the City Clerk be, and she is hereby, directed to notify the proprietor(s) of the plat and the surveyor(s) of the land of this approval.

Adopted by the following vote:

Unanimously.

By COUNCILMAN WORTHINGTON—

Resolved by the City Council of the City of Lansing:

SUP-7-80

200 Mill Street

Whereas, pursuant to the Flood Plain Control Ordinance, being Article V of Chapter 36 of the Code of the City of Lansing, Duncan M. Black, A.I.A., Secretary of the Board of Directors of the Impression

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5 Museum, has requested a special permit to allow the Impression 5 Museum to occupy the base (100 year) flood plain of the Grand River upon the premises commonly known as 200 Mill Street, more particularly described as:

Commencing on the easterly line of Lot 1, 268 feet due south of the north line of said Lot 1 extended; thence southerly on the west line of Mill Street 350.43 feet more or less to a point 128 5/6 feet southerly from the northeast corner of Lot 3, southwesterly at right angles to Mill Street to the easterly bank of the Grand River, northerly along said easterly bank to a point due west of beginning; east to beginning, Block 239, Original Plat, City of Lansing, Ingham County, Michigan; and

Whereas the Planning Board, at their meeting of September 1, 1981, recommended that the request be approved subject to conditions; and

Whereas the Physical Development Committee of the Council, to whom the report of the Planning Board was referred, concurred therewith;

Now, Therefore, Be It Resolved that the Council of the City of Lansing hereby approves Special Use Permit Number 7 of 1980 to allow the Impression 5 Museum to occupy the flood plain upon the above described premises subject to the conditions that:

1) No portion of the structure shall be opened to the general public until and unless the Department of Building Safety and Development has issued an Occupancy Permit; and

2) All construction shall occur within the parameters of the Rules and Regulations of the National Flood Insurance Program, the requirements of the Department of Natural Resources and the Public Service Department, and the Lansing Zoning Code; and

Be It Further Resolved that the City Clerk be, and she is hereby, directed to notify the petitioner of this action and the conditions thereof.

Adopted by the following vote:

Unanimously.

## PUBLIC IMPROVEMENT IV

By Committee on PHYSICAL DEVELOPMENT—

Resolved by the City Council of the City of Lansing:

That the special assessment roll for storm sewer construction:

Assessment Roll No. 287 Storm

PS 74064

Property Benefited: All lands fronting on Midwood St. between Pleasant Grove Road and Wise Road excepting all public streets and alleys and other lands deemed not benefited;

Assessment Roll No. 287 Storm

PS 74066

Property Benefited: All lands fronting on Renee St. from Midwood Street to the South end excepting all public streets and alleys and other lands deemed not benefited;

Assessment Roll No. 287 Storm

PS 17014

Property Benefited: All lands fronting on Orchard Glen Avenue from N. East Street (US-27) to the East end of street excepting all public streets and alleys and other lands deemed not benefited;

as returned by the City Assessor (as amended by the City Council upon review as follows) be and the same is hereby ratified and confirmed, and the Mayor be and hereby is directed to affix within ten days, his warrant directing the City Treasurer to collect said tax on or before the 21st day of December, 1981.

All projects will be included as part of the Midwood-Renee Storm Sewer Contract, PS 74064.

Adopted by the following vote:

Unanimously.

By COUNCILMAN WORTHINGTON—

Resolved by the City Council of the City of Lansing:

P-5-81

Jamar Park No. 1
Tentative Preliminary Plat Approval

Whereas, pursuant to the Lansing Subdivision Regulations, being Chapter 37 of the Code of the City of Lansing, Mary Ettinger has submitted a proposed plat to be known as Jamar Park Subdivision No. 1 for tentative preliminary approval; and

Whereas the Lansing Planning Board has reviewed the proposed plat and at their meeting of August 4, 1981 recommended that tentative preliminary approval be denied because of the uncertainty of sewer service to the area; and

Whereas the Physical Development Committee of the Lansing City Council, to whom the report of the Planning Board was referred, has recommended approval of the subject plat subject to conditions:

Now, Therefore, Be It Resolved that the

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Council of the City of Lansing hereby grants tentative approval of the preliminary plat of Jamar Park Subdivision No. 1, subject to the following conditions:

1) That the final plat be developed with all public improvements as required by the Lansing Subdivision Regulations and the Michigan State Plat Act.

2) That all lots be graded so that surface water will drain therefrom and will not adversely affect adjacent properties.

3) That the developer utilize an underground electrical distribution system as indicated by the Board of Water and Light and as specified in Section 37-33.1 of the Lansing Subdivision Regulations.

4) That the necessary utility easements be provided and indicated on the final plat drawings for the installation of utilities.

5) That the requirements of the Fire Marshal be complied with.

6) That the requirements of all other responding agencies be complied with.

7) That the information required in Section 37-15 of the Subdivision Regulations be supplied when the final preliminary plat is submitted.

8) That access to the detention basin areas be provided.

9) That street names be included and cleared with Tri-County Regional Planning Commission.

10) That temporary turn arounds be installed on all stub streets.

11) That the lotting pattern be in conformance with Section 37-23 of the Lansing Subdivision Regulations.

12) That the storm water drainage plan shall be submitted for approval by the City of Lansing and the Eaton County Drain Commission.

13) That this tentative approval of the preliminary plat be extended for a period of twelve (12) months.

Since this subdivision plat will require alterations due to the above conditions and the requirements as outlined in the Planning Board Staff Report, it is understood that the final preliminary plat will be reviewed by the Planning Department and all other agencies as was done at the time of tentative preliminary review.

It is also understood that the sanitary sewer service is limited in Waverly Road, between Glasgow and Miller Roads at this time. Therefore, development can only occur in accordance with the allocations determined by the Public Service Department.

Adopted by the following vote:

Unanimously.

By COUNCILMAN WORTHINGTON—

Resolved by the City Council of the City of Lansing:

P-6-81

Waverly Meadows Subdivision
Tentative Preliminary Plat Approval

---

Whereas, pursuant to the Lansing Subdivision Regulations, being Chapter 37 of the Code of the City of Lansing, Bruce Stratton has submitted a proposed plat to be known as Waverly Meadows Subdivision for tentative preliminary approval; and

Whereas the Lansing Planning Board has reviewed the proposed plat and at their meeting of August 4, 1981 recommended that tentative preliminary approval be denied because of the uncertainty of sewer service to the area; and

Whereas the Physical Development Committee of the Lansing City Council, to whom the report of the Planning Board was referred, has recommended approval of the subject plat subject to conditions; and

Now, Therefore, Be It Resolved that the Council of the City of Lansing hereby grants tentative approval of the preliminary plat of Jamar Park Subdivision No. 1, subject to the following conditions:

1) That the final plat be developed with all public improvements as required by the Lansing Subdivision Regulations and the Michigan State Plat Act.

2) That all lots be graded so that surface water will drain therefrom and will not adversely affect adjacent properties.

3) That the developer utilize an underground electrical distribution system as indicated by the Board of Water and Light and as specified in Section 37-33.1 of the Lansing Subdivision Regulations.

4) That the necessary utility easements be provided and indicated on the final plat drawings for the installation of utilities.

5) That the requirements of the Fire Marshal be complied with.

6) That the requirements of all other responding agencies be complied with.

7) That the information required in Section 37-15 of the Subdivision Regulations be supplied when the final preliminary plat is submitted.

8) That access to the detention basin areas be provided.

9) That street names be included and cleared with Tri-County Regional Planning Commission.

10) That temporary turn arounds be installed on all stub streets.

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11) That the lotting pattern be in conformance with Section 37-23 of the Lansing Subdivision Regulations.

12) That the storm water drainage plan shall be submitted for approval by the City of Lansing and the Eaton County Drain Commission.

13) That this tentative approval of the preliminary plat be extended for a period of twelve (12) months.

Since this subdivision plat will require alterations due to the above conditions and the requirements as outlined in the Planning Board Staff Report, it is understood that the final preliminary plat will be reviewed by the Planning Department and all other agencies as was done at the time of tentative preliminary review.

It is also understood that the sanitary sewer service is limited in Waverly Road, between Glasgow and Miller Roads at this time. Therefore, development can only occur in accordance with the allocations determined by the Public Service Department.

Adopted by the following vote:

Unanimously.

## ORDINANCES

By COUNCILMAN ADADO—

The Committee reported that it had considered an ordinance providing, that the Code of Ordinances, City of Lansing, Michigan, be amended by revising Section 2-19.1 of said Code (Water and Light Board funds; Method of disbursement), and recommended that the ordinance be passed.

Carried.

## ORDINANCE NO. 607

**(Water and Light Board funds; Method of disbursement)**

By COUNCILMAN BRENKE—

Resolved by the City Council of the City of Lansing, that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by revising Section 2-19.1 of said Code, be placed on order of immediate passage.

By COUNCILMAN BRENKE—

Resolved by the City Council of the City of Lansing, that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by revising Section 2-19.1 of said Code, be now passed.

Adopted by the following vote:

Unanimously.

## ORDINANCE NO. 607

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, PROVIDING THAT THE CODE OF ORDINANCES, CITY OF LANSING, MICHIGAN, BE AMENDED BY REVISING SECTION 2-19.1 OF SAID CODE.

The City of Lansing Ordains:

Section 1. That section 2-19.1 of the Code of Ordinances of the City of Lansing, Michigan, be amended so that such section shall read as follows:

Sec. 2-19-1. Water and Light Board funds; Method of disbursement.

In accordance with Section 5-204.4 of the Ciyt Charter, the Board of Water and Light is authorized to disburse moneys of the board by checks issued by the board, through the secretary, on a designated depository bank, and signed by not less than two of the following: The director and general manager or the assistant General manager and director of operations or the director of rates and financial planning or the director of finance division or the secretary of the board, provided, however, that payments by check shall be limited to payment of payroll, payment of pensions, and payment of customer security deposit refunds.

Section 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 3. This ordinance shall take effect thirty (30) days from its passage unless given immediate effect by the City Council.

By COUNCILMAN ADADO—

Resolved bythe City Council of the City of Lansing:

This ordinance being necessary for the immediate preservation for the public peace, health or safety shall take effect upon its passage.

Carried.

By COUNCILMAN GUNTHER—

Resolved by the City Council of the City of Lansing:

That Councilman Brenke be excused from the session.

Carried.

## REMARKS BY THE MAYOR'S EXECUTIVE ASSISTANT

No remarks.

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**REMARKS BY THE CITY COUNCIL— SUSPENSION OF RULES**

By COUNCILMAN ADADO—

Resolved by the City Council of the City of Lansing:

That the rules of the Council be waived for the purpose of presenting items that are not listed on the agenda.

Carried.

By COUNCILMAN ADADO—

Resolved by the City Council of the City of Lansing:

Whereas, the Lansing City Council established its Blue Ribbon Committee to act on its behalf in matters related to the development of the "100" block, and

Whereas, it became necessary to obtain expert financial advice to enable proper evaluation of the City's options with regard to block "100," and

Whereas, the firm of Pannell, Kerr & Foster, C.P.A.'s was retained for the purpose of rendering advice in these matters to the Council's Blue Ribbon Committee, and

Whereas, reasonable and necessary costs were incurred for the services provided, now

Therefore Be It Resolved, the City Council of the City of Lansing hereby authorized the payment of $348.00 to Pannell, Kerr & Foster, C.P.A.'s for services rendered, and

Be It Further Resolved, the funds required for this payment shall be drawn from the City Council's miscellaneous and operating accounting No. 101-101-000-741.

Adopted by the following vote:

Unanimously.

Councilman Blair spoke on the condition at Kingsley Place as to trash, and dirty condition of the inside of the building.

Merle Lemon, 1803 Linval St., spoke relative to accident of Director of Public Service.

By COUNCILMAN BELEN—

That this meeting stand adjourned.

Carried.

Council adjourned at 8:15 P.M.

THEO FULTON,
City Clerk.

Lansing, Michigan

September 21, 1981

B

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CITY CLERK'S OFFICE
Room 921, City Hall
Lansing, Michigan 48933

Address Correction Requested

BULK RATE
U. S. POSTAGE
PAID
Permit No. 1461
Lansing, Michigan



# OFFICIAL PROCEEDINGS OF
# THE CITY COUNCIL
## OF THE CITY OF LANSING

## Proceedings, September 28, 1981

CITY COUNCIL ROOMS

Lansing, Michigan

September 28, 1981

The City Council of the City of Lansing, Michigan, met in regular session and was called to order by President Belen.

Present: Councilmen Adado, Belen, Blair, Brenke, Gunther, Lindemann, McKane, Worthington—8.

Absent: None.

The Clerk announced that a quorum of the Council was present.

Invocation was given by Councilman Gunther.

Pledge of Allegiance was led by Councilman Gunther.

By COUNCILMAN McKANE—

That the council proceedings of August 31 and September 8, 1981 be approved.

Carried.

Presentation of crime prevention certificates for the Neighborhood Watch Program were presented by Sergeant Mark Ross and Deputy Chief Charles Reifsnyder to the following person:

Kathy Shubert, James Walton, Ann Anderson, Patricia Briones, John Brower, Viva Caswell, Ron Espie, Gladys Gilson, Catherine Gilson, Catherine Harfrison, Alice Hobrla, Ann Howell, Beverly Kain, Kenneth Kerr, Jean Kreck, Jerine LeBlanc, Jean McBride, Robyne McCuistion, Alice Morena, Nancy Myers, Chris Porter, Diane Reighard, Paul Ridenour, Evelyn Scieszka, Cathy Scozzafave, Jane Shipley, Diane Smythe, Vern Taylor, Salbador Tellez, Calara Tomanica, Felicitas White.

**THE PUBLIC MAY NOW ADDRESS THE CITY COUNCIL ON ANY OF THE FOLLOWING ITEMS LISTED ON THE AGENDA: COMMUNICATIONS AND PETITIONS, COMMITTEE REPORTS, REPORTS OF CITY OFFICERS AND BOARDS, AND RESOLUTIONS. YOU MAY SPEAK ONLY FOR 3 MINUTES ON ANY ONE ITEM.**

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Resolution 2b removed as it is same as 4a.

Merle Lemon spoke on letter 3F from Mr. Finley under Reports of City Officers and Boards.

## COMMUNICATIONS AND PETITIONS

The following applications and bonds have been filed for licenses:

MECHANICAL DEVICE —
Paul Fisher.

Referred to Committee on General Services.

Summons filed in Western District of Michigan, Southern Division—U.S. District Court by Gladys Pathfinder and Robert Pathfinder vs Marrimack Mutual Fire Insurance Company and City of Lansing in regard to fire in building at 3026 Aurelius Road.

Referred to Mayor, City Attorney.

The following claims have been filed:

Karen Yager for damage to marker at Evergreen Cemetery.

Bruce Block for damage to his automobile due to hitting a chuck hole.

Amelia D. Woodruff for injuries sustained due to fall after tripping over a raised manhole cover in street.

Gary D. Snellenberger for damage to a tire on his automobile after hitting a hole.

Referred to Mayor, City Attorney.

Request from WILS to park a remote broadcast unit in front of 802 E. Michigan Avenue on October 9, 1981.

By COUNCILMAN McKANE—

That we concur with said request.

Carried.

Request from the Emergency Committee for Affordable Heat for permission to set up an information stand on the Downtown Mall — October 1, 1981.

By COUNCILMAN McKANE—

That we concur in the request and that the information stand be placed on the east side of the 100 block of North Washington Mall.

Carried.

Request from Association for Retarded Citizens/Michigan for permission to use the City Market parking lot on October 14, 1981, in connection with a rally/assembly involving some 1,000 to 2,000 persons to be held at the State Capitol.

Referred to Mayor, Committee on General Services.

Request from the Ladies Cedars Club of Lansing for special 24-hour liquor permit for October 24, 1981 at the National Guard Armory.

Referred to Mayor, Committee on General Services.

Michigan Municipal League submits a notice of the hosting of the 57th National League of Cities Congress to be held in Detroit, Michigan, on November 28-December 2, 1981.

Referred to Mayor, all City Council Members.

Application for Commercial Redevelopment District for George and Louis Eyde of Eyde Construction Company for property on the south side of Holmes Road near Logan St.

Referred to Mayor, Economic Development Corporation.

Ernst & Whinney submits an audited financial statement and other financial information for Board of Water and Light as of June 30, 1981.

Received and placed on file.

Bassey, Selesko, Couzens and Murphy, P.C., Law Officers, submits notice of a Petition, Entry of Appearance, Notice of Intent to Arrange for a Counsel Conference and Proofs of Service in the case of Roadway Express, Inc. v Charter Township of Lansing, Michigan Tax Tribunal that was sent to Paul Creevy, City Assessor.

Received and placed on file.

Letters from the Department of Natural Resources relative:

Completion of five fish ladders in State of Michigan—located in Lyons, Webber, Portland, Grand Ledge and North Lansing.

Referred to Mayor and City Council Members.

Flood Plain Permit for Mr. and Mrs. Dan Smith.

Received and placed on file.

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Flood Plain Permit for Mr. Roy Markey.

Received and placed on file.

**MAYOR'S EXECUTIVE ASSISTANT COMMENTS ON ANY ITEM ON THE AGENDA:**

No remarks.

**REPORTS OF COMMITTEES**

The Committee on GENERAL SERVICES approves the following applications and bonds for licenses:

MECHANICAL DEVICE —
Paul Fisher.

Signed:

WILLIAM A. BRENKE,
PAT LINDEMANN,
TERRY J. McKANE,
Committee on General Services.

By COUNCILMAN BRENKE—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

The Committee on PUBLIC PROPERTIES AND SAFETY, to whom was referred the Mayor's recommendation to approve the sale of the Genesee Center property to the sole bidder, reports as follows:

After discussion in committee about the condition of the property, the amount of work and funds needed to rehabilitate the structure for the bidder's intended use, and problems with zoning and parking, the bidder requested that his bid be rejected and his deposit returned. The Committee concurs with this course of action. A new recommendation on the Genesee Center has been requested from the Administration.

Signed:

PAT LINDEMANN,
JAMES D. BLAIR,
SIDNEY P. WORTHINGTON,
Committee on Public
Properties and Safety.

By COUNCILMAN LINDEMANN—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

**REPORTS OF CITY OFFICERS AND BOARDS**

September 24, 1981

President Lucile Belen and
Members of City Council

Re: Claim of Julie M. Koenig in the amount of $158.00

Dear President Belen and
Members of City Council:

The claimant has requested reimbursement for medical costs incurred as the result of an incident at the Potter Park Zoo on June 11, 1981. While visiting the Potter Park Zoo with he two young daughters, one of which was in a stroller with a baby bottle, the claimant entered the goat pen. While there a large goat knocked the claimant's oldest daughter down. As the claimant directed her attention to the older daughter lying on the ground, the same goat seeking the smaller daughter's baby bottle, apparently climbed onto the stroller, placing its hind feet on the baby's abdomen and its front feet on the baby's head. The claimant transported her children to Henry Ford Hospital where Z-rays and related medical treatment were administered at a cost of $158.00.

Douglas Finley, Director of Parks and Recreation indicates that one of the employees in the animal contact area confirmed this incident. Apparently one of the biggest problems in the animal contact area is the presence of strollers, and particularly so when a baby bottle is present and visible since the goats can not differentiate between their feeding bottles and an ordinary baby bottle. Mr. Finley indicates that a staff person in the contact area normally advises people of the potential problem but was apparently assisting someone else when this stroller entered and failed to warn the claimant.

MCLA 691.1407; MSA 3.996(107) immunizes municipalities from tort liability when the municipality is engaged in the exercise or discharge of a governmental function. The term "governmental function" has been limited in scope by court decisions to include those activities which are "of essence to governing"; e.g., those activities which can be effectively accomplished only by government. See Parker v Highland Park, 404 Mich 187; 273 NW2d 403 (1978). Michigan courts have indicated that the operation of a recreational park may or may not constitute a governmental function and have adopted in case by case analysis of the particular activities carried on within a recreational area as to whether or not those activities constitute a governmental function. See Feliciano v DNR, 97 Mich App 101 (1980; Daugherty v Michigan, 91 Mich App 658 (1979). In the opinion of this office, it is doubtful that the animal contact area at Potter Park falls within the protection afforded municipalities by the aforementioned statute. Additionally, there are court decisions indicating that strict liability may be imposed on the owner or keeper of domesticated animals ordinarily harmless when the owner or keeper knew, or had reason to know, of a particular or dangerous propensity or tendency in the animal in question. See Prosser, Law of Torts, Strict Liability, Animals, Chapter 13, Section 76.

In view of the facts and circumstances presented by this claimant and the above

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authorities, it is the recommendation of this office that this claim be allowed.

Respectfully submitted,

STEPHEN R. SAWYER,
City Attorney.

By COUNCILMAN ADADO—

That we concur in the recommendation of the City Attorney and the City Clerk be and she is hereby directed to draw a warrant on the City Treasurer in the amount of $158.00 payable to Julie v Koenig.

Carried.

September 24, 1981

Council President Belen and
Members of the City Council

10th Floor, City Hall

Lansing, Michigan 48933

Dear Members:

In 1980 from the Office of the Administrative Services, Microfilm and Records Management Division I received a memo of a proposed records retention and disposal schedule.

This was in regard to microfilming all deeds, abstracts, easements, R/W's to property owned or acquired by the City of Lansing which was filed in my office. This also includes all annexations to the City of Lansing. This is all on microfilm now. They are asking me what to do with the originals of these.

I do not feel this is my decision, I feel the council as a whole should make this decision. However, before you make a decision, I feel you should look at it as it now is and talk with Mr. Glen Sherman, Microfilm Supervisor.

Sincerely,

THEO FULTON,
City Clerk.

Referred to Committee of the Whole, City Attorney.

DATE: 9/23/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Director of Building Safety and Development. Re: Trash Removal Assessment.

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

By COUNCILMAN LINDEMANN—

That we concur in the recommendation of the Mayor and said assessment be placed on the assessment roll.

Carried.

DATE: 9/23/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Submission of attached correspondence from the Finance Director and Personnel Director. Re: Answer to letter from the Lansing Manpower Administration Office regarding benefits upon termination.

The attached correspondence is submitted for your information.

GERALD W. GRAVES,
Mayor.

Received and placed on file.

DATE: 9/24/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Planning Director. Re: ACT-40-80 — 2116 Byrnes Road.

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Physical Development.

DATE: 9/24/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Planning Director. Re: ACT-34-81 — Vacation of a portion of Herrick Drive.

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Physical Development.

DATE: 9/24/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

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SUBJECT: Concurrence with attached correspondence from the Planning Director. Re: ACT-38-91 — Glenburne Elementary School.

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Physical Development.

DATE: 9/24/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Submission of attached correspondence from the Parks Director. Re: Maintenance at Kingsley and Gier Community Center.

The attached correspondence is submitted for your information.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Public Property and Safety.

DATE: 9/24/1981

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Personnel Director. Re: Ratification of Fraternal Order of Police, Parks Security Division, collective bargaining agreement which covers the period of July 1, 1980 through June 30, 1982.

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee of The Whole.

September 24, 1981

Honorable Council President Lucile Belen and Members of the Lansing City Council

10th Floor, City Hall

Lansing, Michigan 48933

Dear Council President and Members:

I deeply regret to inform you that the City of Lansing must reimburse $28,995.86 to the Federal Urban Mass Transportation Administration (UMTA) for portions of grants received in 1971 and 1974. Of the $28,995.86, disallowed costs total $11,588.67, over-advancement (MI-03-0015) totals $12,-149.31, and over-advancement (MI-03-0028) totals $5,258.06. These were capital and operating grants received by the City for the forerunner of the Capital Area Transportation Authority (CATA) program for the purchase of the now defunct electric buses, propane buses, the former CATA GARAGE on Mill Street and the handicapper bus operated by the Parks and Recreation Department. Your Project Directors included George Lokken, Walter Sowles, Lester Hopkins and former Planning Director Raymond Guernsey.

Disallowed costs were found in two instances involving capital grants. In the first instance, UMTA allowed $203,000 to purchase the Mill Street property (now the R. E. Olds Museum), but the City Council Resolution of 1971 authorized the use of $205,000, resulting in a disallowance of $2,000. Secondly, UMTA contends that the entire purchase price of $15,383.00 for the handicapper bus used by the Parks and Recreation Department is disallowed, since such use was not allowed for in Federal Regulations. This is the same bus which has had to undergo extensive repairs since its purchase in 1975. Since the City's share of those items was a one-third match, UMTA is requesting reimbursement of the remaining two-thirds, or $11,588.67.

Of the $28,995.86, the $11,588.67 is a new cost to the City — the $17,407.19 was lapsed into the General Fund — Fund Balance at the end of the 1976-77 Fiscal Year.

Regarding the aforementioned, the Federal auditors completed their work and conducted an "exit conference" with City staff on February 15, 1978. For the past 3 years, the City Controller has attempted to resolve these items in the City's favor, but to no avail. Therefore, I must, at this time, recommend that City Council re-appropriate this amount, so that the $28,995.86 can be returned to UMTA.

I have asked the Finance Department to bring this overall matter to the attention of the Ways and Means Committee on September 24, 1981, inasmuch as immediate action on the part of the City Council is necessary. The Federal Government is increasing its efforts to recapture on these grant items, just as it is doing all over the Nation.

Sincerely,

GERALD W. GRAVES,
Mayor.

Received and placed on file with copy to Committee on Ways and Means.

DATE: 9/25/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Planning Director. Re: Request to set public hearing — re-

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quest to use NDA No. 4 Community Development Funds to acquire the vacant Clark Service Station at 1428 S. Washington Avenue.

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Physical Development.

## RESOLUTIONS

By Committee on PUBLIC PROPERTIES AND SAFETY—

Resolved by the City Council of the City of Lansing:

ACT-31-81

Easement Vacation, Block 135, Original Plat

---

Whereas, the City Property Manager has requested authorization to vacate a City easement in the 400 block of S. Washington Ave.; and

Whereas, the Board of Water and Light has requested retention of the easement for continuing access to an electrical manhole and duct line; and

Whereas, the Planning Board concurred with the Board of Water and Light request, and recommended that the easement be retained, but re-recorded in the name of the Board of Water and Light;

Now, Therefore, Be It Resolved the Lansing City Council hereby concurs in the Planning Board recommendation to retain the utility easement in the 400 block of S. Washington Avenue, specifically in Block 135, Original Plat, City of Lansing, and further, authorizes the re-recording of the easement in the name of the Board of Water and Light.

Adopted by the following vote:

Unanimously.

By Committee on PUBLIC PROPERTY AND SAFETY—

Resolved by the City Council of the City of Lansing:

Whereas, the City of Lansing's 25 year Lease with General Motors Corporation, dated July 1, 1956 has expired, and

Whereas, General Motors Corporation has requested to continue leasing subject property for a term of 25 years.

Now Therefore Be It Resolved that the Lansing City Council hereby authorized the leasing of the property described below to General Motors Corporation for a period of 25 years at a nominal rental of $1.00 per year, and be it,

Finally Resolved that the Mayor and City Clerk are hereby authorized to enter into a lease agreement upon approval as to form from the City Attorney.

A parcel of land in Logan Street, Lansing, Michigan, seven feet by eleven feet (7' x 11') in area between the right-of-way of the Grand Trunk Railway Company on the south and the south property line extended of land on the east owned by General Motors Corporation, Oldsmobile Division, said premises further identified in red on the drawing which is attached hereto and made a part hereof,

also,

Beginning at the intersection of the East line of Logan Street and the Southerly line of General Motors Corporation—Oldsmobile Division property; thence North along the East line of Logan Street 240 feet; thence West 66 feet to the West line of Logan Street; thence South along the West line of Logan Street 210 feet; thence East to the point of beginning. Said parcel being in the City of Lansing, County of Ingham, State of Michigan, as shown on the drawing as the pump house, attached hereto and made a part hereof.

Adopted by the following vote:

Unanimously.

By ECONOMIC DEVELOPMENT COMMITTEE—

Resolved by the City Council of the City of Lansing:

Whereas, by resolution adopted September 14, 1981, this Council scheduled a public hearing on the Economic Development Corporation of the City of Lansing's submission of a project plan for the "Bauch Building project" for its October 5, 1981 meeting; and

Whereas, this Council finds that the aforementioned project is not proceeding in accordance with the time frames originally expected;

Now, Therefore, Be It Resolved that:

1) The Public Hearing on the project plan for the "Bauch Building project" scheduled for October 5, 1981, is hereby cancelled; and

2) The City Clerk be and is hereby directed to rescind all notices published, posted, or mailed to real property owners in the project district area; and

3) All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same hereby are rescinded.

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Adopted by the following vote:

Unanimously.

## ZONINGS

By COUNCILMAN WORTHINGTON—

Whereas, it is deemed desirable to amend the Classification provided for in the Zoning Code of the City of Lansing, passed on the 13th day of November, 1958, in the following particulars, viz:

That property described as:

Z-7-81 — 1832 Hoyt Street,

be re-zoned from "A" One Family Residential District to "C" Two Family Residential District and the "Map" be changed to indicate such transfer;

Therefore, be it resolved, that the City Clerk shall give at least fifteen days notice of a Public Hearing when all persons interested may attend and make any objections they may have to such proposed changes in said Zoning Code.

Resolved further, that such hearing shall be held at the Council Chamber in the City Hall on the 19th day of October, 1981, at 7:00 o'clock p.m., and that notice of such hearing be published in the official publication of said city, as required by law.

Adopted by the following vote:

Unanimously.

By COUNCILMAN WORTHINGTON—

Whereas, it is deemed desirable to amend the Classification provided for in the Zoning Code of the City of Lansing, passed on the 13th day of November, 1958, in the following particulars, viz:

That property described as:

Z-25-81 — 6000 block of Grovenburg Rd.,

be re-zoned from "A" One Family Residential District to "D-1" Professional Office District and the "Map" be changed to indicate such transfer;

Therefore, be it resolved, that the City Clerk shall give at least fifteen days notice of a pubilc hearing when all persons interested may attend and make any objections they may have to such proposed changes in said Zoning Code.

Resolved further, that such hearing shall be held at the Council Chamber in the City Hall on the 19th day of October, 1981, at 7:00 o'clock p.m., and that notice of such hearing be published in the official publication of said city, as required by law.

Adopted by the following vote:

Unanimously.

By Committee of THE WHOLE—

Resolved by the City Council of the City of Lansing:

Whereas, this Council on April 13, 1981, did approve and ratify the "Memorandum of Understanding between the City of Lansing and Demmer Corporation for Purchase and Development of the Reo Demmer properties," which required the Demmer Corporation, a locally based manufacturing company, to prepare and submit a detailed development plan for the site; and

Whereas, such a Developmnet Plan has been prepared and submitted and has been reviewed by the City's administrative agencies and by this Council; and

Whereas, this Council finds that the Development Plan for the Reo Demmer property is in substantial compliance with the requirements set forth in the "Offer to Acquire and redevelop . . . the Reo Demmer Property" and with the terms of the U.S. Economic Development Administration Title IX Economic Adjustment Grant program through which clearance and preparation of the Reo Demmer Property has been carried out;

Now, Therefore, Be It Resolved that the City Council of the City of Lansing does hereby approve the Development Plan for the Reo Demmer Industrial Park and authorizes sale of the property to the Demmer Corporation in accordance with the terms set forth in the "Memorandum of Understanding . . ."; and

Be It Further Resolved that the Mayor's Economic Development Group be directed to prepare a sales contract for the subject Reo Demmer property and the Mayor and City Clerk be authorized to execute said contract following approval as to form by the City Attorney.

Adopted by the following vote:

Unanimously.

By Committee of THE WHOLE—

Resolved by the City Council of the City of Lansing:

That the resolution of amendment, adopted September 14, 1981, which amended a resolution regarding traffic changes at the intersection of Barnes Avenue and Logan Street, originally adopted July 27, 1981, is hereby rescinded, and the following is substituted as an amendment to the July 27 resolution:

Add the following new clauses to finish the resolution:

"And Be It Further Resolved the Lansing City Council hereby requests the Administration to negotiate an agreement with the Michigan Department of Transportation to allow left turns from Barnes Avenue onto Logan Street during periods when the signal is flashing; and

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Be It Finally Resolved the City Council recommends that this traffic signal operate in flash mode on Saturdays and Sundays, as well as weekday evening hours, to be determined by the Transportation Engineer."

Adopted by the following vote:

Unanimously.

By WAYS AND MEANS COMMITTEE—

Resolved bythe City Council of the City of Lansing:

Whereas, the Committee on Ways and Means has reviewed a detailed listing of the City of Lansing outstanding encumbrances at June 30, 1981, as presented by the City Controller.

Now, Therefore, Be It Resolved, that adequate funds be carried forward in the accounts identified by the City Controller for the payment of the outstanding encumbrances.

Adopted by the following vote:

Yeas: Councilmen Adado, Belen, Brenke, Gunther, Lindemann, McKane, Worthington—7.

Nay: Councilman Blair—1.

By WAYS AND MEANS COMMITTEE—

Resolved by the City Council of the City of Lansing:

That the following transfers be approved:

$ 3,000.00 from Aurelius Road Landfill—
Capital Improvement Projects
A/C 101-936-104-974

$ 3,000.00 to Aurelius Pump Utilities
Public Service
A/C 101-526-000-920

$11,588.00 from Reserve for Contingency
A/C 101-941-000-963

17,408.00 from Fund Balance
A/C 101-000-000-390

$28,996.00 to U.M.T.A. Grant
Settlement
A/C 101-930-000-959

$ 5,000.00 from Depreation, Extension and
Improvements Fund
A/C 585-000-000-377

$ 5,000.00 to Professional Services—
General & Administration
A/C 585-536-000-801

I hereby certify that this is a properly drawn and eligible transfer.

JAMES W. DOWSETT,
Finance Director.

Approved:

TERRY J. McKANE,
WILLIAM A. BRENKE,
JACK D. GUNTHER,
Committee on Ways and Means.

Adopted by the following vote:

Unanimously.

## INTRODUCTION OF ORDINANCE(S)

The following ordinance(s) of the City of Lansing, Michigan, providing that the Code of Ordinances be amended by:

Adding a new section to be numbered 36-116.12 to provide for an amendment to the amended Physical Development Plan for NDA No. 3 for the acquisition of property at 1516 N. High Street;

was introduced by Councilman Worthington read a first and second time by its title(s) and referred to the Committee on Physical Development.

## REMARKS BY THE MAYOR'S EXECUTIVE ASSISTANT:

No remarks.

## REMARKS BY THE CITY COUNCIL — SUSPENSION OF RULES

By COUNCILMAN ADADO—

Resolved by the City Council of the City of Lansing:

That the rules of the Council be waived for the purpose of presenting items that are not listed on the agenda.

Carried.

By COUNCILMAN BELEN—

Resolved by the City Council of the City of Lansing:

Whereas, Zonta is an international service organization, dedicated to the improvement of the legal, political, economic and professional status of women among professional businesses all over the world and is holding the District 15 Conference on the 2nd, 3rd and 4th of October; and

Whereas, the women of Zonta are working for the advancement of understanding, goodwill and peace and in this regard have sponsored many international projects including a Columbian Slum project, Ghana Health unit and the sponsorship of many Arab young women at the Ramallah (United Nations) Vocational Training Center; and

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Whereas, Zonta International also sponsors the Amelia Earhart Fellowship for young women throughout the world who are interested in advanced training in aerospace dynamics;

Now, Therefore, Be It Resolved, the City Council of the City of Lansing hereby extends a hearty welcome to all Zontians who will be attending the 15th District Conference here in Lansing and a special welcome to Annikki Makinen of Finland, President Elect of Zonta International; and

Be It Further Resolved, on behalf of the citizens of Lansing the City Council thanks the Zonta Club of Lansing for its significant contribution to our community and wishes its members every possible success in their October conference.

Adopted by the following vote:

Unanimously.

By COUNCILMAN WORTHINGTON—

Resolved by the City Council of the City of Lansing:

Whereas, the City of Lansing is rehabilitating the Southside Neighborhood Development Area No. 4 in cooperation with the Federal government for financial assistance, all pursuant to Act 344 of the Public Acts of 1945, as amended; and

Whereas, the City of Lansing has prepared and adopted in Ordinance No. 582, and amended by Ordinance No. 595, a Physical Development Plan and a plan for relocating families and individuals who are to be displaced by the rehabilitation of said area; and

Whereas, the City of Lansing, acting by and through its Planning Department, has consulted with Citizens' District Council No. 4 of Neighborhood Development Area No. 4; and

Whereas, that council has recommended that the rehabilitation strategy adopted as part of the Development Plan be amended to include using Community Development funds to purchase property at 1428 S. Washington Ave. and is in compliance with Act 344 of the Public Acts of 1945 as amended; and

Whereas, the Act requires the City to provide citizens an adequate opportunity to ask questions and express opinions about modifications to the Physical Development Plan; and

Whereas, the City of Lansing Charter, Article 3, Chapter 3, Section 3-303, requires that a public hearing be held on proposed ordinances;

Now, Therefore, Be It Resolved that two public hearings be held simultaneously at the regular meeting of the City Council on Monday, October 26, 1981, at 7:00 p.m. These hearings will be to consider amending the Physical Development for Neighborhood Development Area No. 4 to include the acquisition of 1428 S. Washington Ave. and to consider amending Article XIVA, Chapter 36 of the Code of Ordinances of the City of Lansing by adding a new section for the purpose of acquiring 1428 S. Washington Avenue.

Adopted by the following vote:

Unanimously.

Councilman Gunther spoke relative leaf pick-up for this year.

By COUNCILMAN BELEN—

That this meeting stand adjourned.

Carried.

Council adjourned at 8:05 P.M.

THEO FULTON,
City Clerk.

Lansing, Michigan

September 28, 1981

F/B

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CITY CLERK'S OFFICE
Room 921, City Hall
Lansing, Michigan 48933

Address Correction Requested

BULK RATE
U. S. POSTAGE
PAID
Permit No. 1461
Lansing, Michigan



# OFFICIAL PROCEEDINGS OF
# THE CITY COUNCIL
## OF THE CITY OF LANSING

## Proceedings, October 5, 1981

CITY COUNCIL ROOMS

Lansing, Michigan

October 5, 1981

The City Council of the City of Lansing, Michigan, met in regular session and was called to order by President Belen.

Present: Councilmen Adado, Belen, Blair, Brenke, Gunther, Lindemann, McKane, Worthington—8.

Absent: None.

The Clerk announced that a quorum of the Council was present.

Invocation was given by Councilman Gunther.

Pledge of Allegiance was led by Councilman Gunther.

### PUBLIC HEARING, NDA NO. 3 PLAN AMENDMENT

CITY CLERK FULTON: This is the time set for the public hearing on the proposed amendment to the physical development plan for the Northside Neighborhood Development Area No. 3. This hearing is to consider an amendment prepared pursuant to the requirements of Michigan Act 344 of the Public Acts of 1945, as amended.

PRESIDENT BELEN: The Clerk will read.

CITY CLERK FULTON: The proposed amendment contains provisions for the acquisition of one residential structure, at 1516 N. High Street, in NDA No. 3.

PRESIDENT BELEN: Mr. Bruce Deason of the Lansing Planning Department will now proceed with the introduction of exhibits.

MR. DEASON: President Belen, Members of the City Council, ladies and gentlemen, this public hearing regarding the acquisition of 1516 N. High Street is being held in accordance with Michigan Act 344 of the Public Acts of 1945, as amended, an act known as the Blighted Areas Act. For the purposes of the record, I would like to introduce seven exhibits regarding the background of this property and activities that have occurred in preparation for this hearing.

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(It is not necessary to read each of the exhibits but their description follows.)

**Exhibit No. 1** is a certified copy of an excerpt from the Citizens' District Council No. 3 minutes of July 14, 1981, in which the members tentatively approve the acquisition of the property at 1516 N. High Street.

**Exhibit No. 2** is a memo from the Mayor to the City Council, dated August 21, 1981, and presented to the Council on August 24, 1981, in which he concurs with the Planning Board's recommendation, as stated in an attached letter dated August 19, 1981, that the property at 1516 N. High be acquired.

**Exhibit No. 3** is background information on the proposed acquisition property, 1516 N. High Street, in Neighborhood Development Area No. 3.

**Exhibit No. 4** is a copy of the Resolution of City Council setting October 5, 1981, as the date of the Public Hearing to consider the proposed plan amendment.

**Exhibit No. 5** is a certified copy of the notice of Public Hearing that was published in the Lansing State Journal on September 13, 1981.

**Exhibit No. 6** is an affidavit affirming that notice of the Public Hearing was distributed door-to-door in the district and development areas of Neighborhood Development Area No. 3 on September 24, 1981.

**Exhibit No. 7** is an affidavit affirming that notice of the Public Hearing was mailed to residents in the district and development areas in Neighborhood Development Area No. 3 on September 17, 1981.

The structure at 1516 N. High Street would require an estimated $28,947.00 for code repairs plus an estimated $6,345.00 for rehabilitation standard repairs. Although the assessor's records indicate four bedrooms, the Building Department has determined that two of the four do not meet minimum requirements for sleeping areas. In addition the only bathroom facilities are located in the rear porch addition to the house which has fallen to severe disrepair. Other high cost items include siding, foundation, plumbing and electrical. The house is assessed for $6,200. Therefore, it is recommended that the property be acquired, the structure demolished, and the residents relocated.

PRESIDENT BELEN: Anyone in the audience who would like to comment on the proposed acqquisition of the property at 1516 N. High Street in Neighborhood Development Area No. 3, the demolition of the structure on that property, and the relocation of the residents, please step to the microphone, state your name, address, and comments, keeping in mind that there may be other people who would like to be heard.

PRESIDENT BELEN: If there are no comments, then the Planning Department is directed by the Chair to forward this Amendment to the Northside Neighborhood Development Area No. 3 Plan to Citizens' District Council No. 3 for that group's review. Pursuant to Public Act 344, the District Council's action must be completed during the 10 day period ending on October 15, 1981.

Referred to Committee on Physical Development.

## PUBLIC HEARING

October 5, 1981, at 7:00 o'clock being the time set as the time for holding a public hearing on the proposed Project Plan for: Jackson National Life Insurance Project including issuance of Limited Obligation Revenue Bonds.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed project plan they had the privilege of speaking at this time.

Referred to Committee on Economic Development.

The following 4-H program was presented:

Mr. Robert Black, Executive Assistant to the Mayor, read a proclamation. Mr. Milton L. Alston, 4-H Program Assistant, presented a 4-H recognition certificate to the Lansing Parks and Recreation Department, Larry Chapin, HRH Steering Committee Chairman for the Horseback Riding for Handicappers presented a recognition award to the Beekman Life Center, Cynthia Burleson Mark, extension 4-H Youth Agent, presented "Thank You" remarks to the City of Lansing and Council Members.

October 5, 1981

Council President Lucile Belen and

Members of the Lansing City Council

10th Floor, City Hall

Lansing, Michigan 48933

Dear Council President and Members:

Over the past several years, the City of Lansing has been financially stable, despite the severe economic condition surrounding us. We have had an ample unappropriated fund balance. Like any savings account, it was our security blanket. I cautioned you, however, that this was no guarantee that we were immune from fiscal hazards. I repeatedly warned that to expend those funds too easily could precipitate a fiscal crisis, and **would certainly** do so, if other restraints were not imposed.

While it greatly pains me to have to present such glum news, we have now un-

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questionably reached that crisis point. The nearly completed financial statements for the year ending June 30, 1981, show an unappropriated fund balance of $1,176,261. This represents only 2.0% of our General Fund/Revenue Sharing budget and falls $3,000,000 short of the amount we would need to balance next year's budget, if we continued operating merely at current levels of service. Even at that, our unappropriated funds do not represent cash that could be spent. Our accrued liability for sick leave, our self-insured status and the fact that unappropriated balances also include receivables and inventories leaves us in a tightly, even urgently, constrained position. The Finance Director will cover this with you in greater detail.

In the fairly recent past, we have all cheered the advent of the high mileage vehicles. These have helped America in its energy crisis—the technology is commendable. On the other side, fuel and weight tax losses for highway, road and street purposes have declined by one-quarter billion dollars in Michigan, meaning losses for our own street improvements. This necessitated the City expending $500,000 from the General Fund this year for basic street improvements, a first in history. Too, in the recent past, $1,000,000 had to be expended for new snow removal equipment, trucks, etc., to replace "junk" on hand. This has helped us in times of great snow storms to open up our streets as rapidly as any city of any size in Michigan. To replace a drab downtown, $1.8 million was expended. For several years. City Council has mandated up-front, and before the Recommended Budget was submitted each year, that 1% of the budget be expended for so-called "human services." Also, dollars had to be expended for the City's share of new badly needed bridges. Another $2.1 million was decided by you to be spent for property for the separate Exhibition Hall. The total is not a small number of dollars, and the aforementioned is only a partial list of expenditures.

Today, 76% of the General Fund/Revenue Sharing budget is expended for all employee wages, salaries and fringe benefits—of the total, 45% goes to Police and Fire, and 92% of that is in salaries and fringe benefits. Overall, the required City contribution for retirement benefits under negotiated employee contracts, and ever increasing F.I.C.A. (Social Security), alone totaled $7,500,000 this year—our total property tax revenue was only $10,900,000. This was clearly pointed out to you in my Budget Message on March 23, 1981.

Even more distressing is the fact that current year revenues have shown no improvement and in many cases have declined below projections. The loss of $178,000 in Federal Revenue Sharing, the projected loss of $270,000 in State Revenue Sharing under the Governor's Executive Order, the highly probable reduction of even more from State Revenue in the new fiscal year, and the fact that income tax collections have shown no recovery above the downwardly revised estimates of last Spring, will all further aggravate our fiscal problems.

If these actual, already known factors were not serious enough, we face two major additional reductions. The proposed property tax limitation legislation, while not certain, appears headed for passage. While this is clearly a needed response to long declared public concern, it will aggravate our fiscal problems. We will be faced with unreimbursed revenue reductions, and **this is realistic** since the State of Michigan is itself not in a position to fully reimburse local units. We will be faced with a high probability that you **will not be able** to raise taxes, or fees and charges, **without a vote of the General Public.** While I concur in the desirability of voter support in such matters, the necessary lead time and expense will make it difficult, if not impossible, to react promptly to changing fiscal needs. I support property tax relief, but I caution you not to underestimate its effects on the City.

Another very real possibility is the phasing out of Federal Revenue Sharing, which will be a loss of approximately $3,000,000 annually. This has been proposed in Washington before, but now there is increasing support. While I concur in budget cutting efforts, I do not believe that this is the right area to cut. Federal Revenue Sharing is our only general puprpose return on taxes paid by our citizens to Washington. However, the potential for a redesigned block grant program under President Ronald Reagan may make block grants part of a solution to some current problems. Currently, categorical grants, block grants and special programs are all for limited, specified purposes which may not meet the priority requirements of our City. Further, other than Federal Revenue Sharing, all Federal funds have **extensive and expensive** monitoring, reporting, and implementing regulations. **I urge you, most strongly,** to take action to retain General Revenue Sharing in preference to any more restricted programs. While the goals and purposes of a restricted program may be highly desirable, they won't do our citizens much good, if our basic services cannot be sustained.

In the face of all these considerations, I am implementing a number of Executive Orders to reduce expenditure levels **now. I am ordering,** effective immediately, a **hiring freeze** on all but **critical** positions. **I am ordering a freeze on all equipment purchases,** which are not absolutely essential at this time. **I am ordering a hold** on non-legally required **Capital Improvement Projects** and have asked the C.I.P. Committee to reassess them and make recommendations back to me on whether they can reasonably and prudently be deferred.

**I have instructed** the Budget Director to identify levels of service impacts by working with each department. I will be having a series of budget hearings and planning sessions with my departments, during October and November, to identify potential areas of reduction and the associated service impacts.

Councilman McKane has communicated with me to express his concerns and has requested, most strongly, that the Administrative branch work with the Council, par-

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ticularly through his Committee, to make necessary reductions in the most cost effective, least disrupting manner possible. I will be forwarding his communication to all departments because I, too, feel that the dangers of shortsightedness and territorialism are potentially disastrous. While we can respond adequately, if everyone understands and deals with the problems, you can also face complete fiscal and operational chaos, if you stick your head in the sand and hope the problems go away. They will not.

**You cannot fix** the problems by throwing money at them. You **don't have** the money. **You cannot wait** out the economic doldrums. The time for action is now. You are faced with expiring labor contracts with all the City's unions. It will be extremely difficult to achieve a reasonable and affordable settlement, if everyone does not use their fullest, honest efforts to work cooperatively.

There is no room for expansion. Even with the best efforts, we are faced with the need to reduce, substantially, our staffing levels in the City. It is clear that programs and staff will have to be cut-back. No one can do what must be done, without facing those areas of costs. It would be the height of folly and dishonesty to tell our citizens and our employees that we can do one without the other. Lowered levels of service and reduced numbers of personnel must be carefully and thoughtfully planned.

Whenever possible, transfers, reassignments and attrition will be used to limit lay-offs. However, I feel that despite our best efforts there will be lay-offs, and if you, as a Council do not join fully in these efforts, the numbers of needed lay-offs will be dramatically increased. It is up to you. You are the policy making body.

**I urge you,** as a Council, to take several steps immediately to support an overall effort. **I request** that you activate your Moratorium Committee for Council, Clerk and Courts to match the Administrative efforts. **I urge you** also to work to assure the cooperation of the elected official in those operations in cut-back planning. Every agency of the City needs to be involved. **I urge you** to avoid the temptation to turn this into a political football. The same problems will be here even after I depart—a resolving of the issues, being greatly complicated by large Federal and State dollar losses, is an absolute necessity. I could not get many of you to recognize the developing situation in the past, although I kept detailing the signs of it for you. **Now,** with the actual, final, independently audited financial position known, **you cannot have any excuse.** Examine the reports; have your staff review them. You will find that I have not exaggerated the situation at all. **Our unappropriated funds are insufficient to allow any room to vacillate.**

I have instructed the Finance Director to meet with you in Committee to more fully review the facts and their implications. Within eight to ten weeks, the Budget Director will meet with you to report back on interim budget actions at the Executive level, and I will, at that time, be sending **further policy recommendations** for your consideration and decision.

The City of Lansing certainly is not in the same troubled, financial condition of many other cities, many of which have already undergone lay-offs and cut-backs. Unlike others, we are facing our problems up-front. We can resolve our problems. We can overcome the challenge. However, it cannot be done in a vacuum. It will require hard and difficult policy decisions on your part. It will require long and tedious efforts on the part of the Administration. I believe we can do it.

Sincerely,

GERALD W. GRAVES,
Mayor.

Referred to the Committee on Ways and Means for a report back to the Committee of the Whole.

**THE PUBLIC MAY NOW ADDRESS THE CITY COUNCIL ON ANY OF THE FOLLOWING ITEMS LISTED ON THE AGENDA: COMMUNICATIONS AND PETITIONS, COMMITTEE REPORTS, REPORTS OF CITY OFFICERS AND BOARDS AND RESOLUTIONS. YOU MAY SPEAK ONLY FOR 3 MINUTES ON ANY ONE ITEM.**

Under Reports of City Officers and Boards, letter 3c from Mayor was removed.

Resolution 1a removed from agenda.

## COMMUNICATIONS AND PETITIONS

The following applications and bonds have been filed for licenses:

AUCTIONEER—

Robert Hammill.

PUBLIC DRIVER—

Francis Willard Miller.

Referred to Committee on General Services.

Summons filed in Circuit Court by:

Gregory and Lana Byrd vs City of Lansing in regard to damage done to property they own by the Hayford Street Pumping Station and its failure to work.

James M. Duffield vs Mayor Graves and City of Lansing in regard to his dismissal from employment with the City of Lansing.

Referred to Mayor, City Attorney.

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Claims filed by:

Lucius Hayward in regard to damage to his automobile due to manhole cover and hole in street.

Mary Lou Strisar for damage to her automobile at the S. Capitol Parking Ramp due to cement dust.

Referred to Mayor, City Attorney.

Petition filed to construct Sanitary Sewer on Grovenburg Road from Miller Road to Logan Street (M-99) and on Logan Street (east side) from Grovenburg Road north to Newark Avenue.

Referred to Mayor, Public Service Department.

Tom Mattson, Asst. Principal at Sexton High School, requests a parade permit for October 16, 1981, in connection with homecoming game.

By COUNCILMAN ADADO—

That said request be approved and that all necessary signatures are obtained.

Carried.

Request from Lansing Jaycees for use of the Baptist Convention Center—213 W. Main Street for the 1981 Haunted House—October 10 to November 8, 1981.

By COUNCILMAN ADADO—

That said request be approved.

Carried.

Frandor Shopping Center — Frandorson Properties submits application for a Commercial Redevelopment District—encompassing Frandor Shopping Center.

Referred to Mayor, Economic Development Corporation.

Letter from Health Central opposing the removal of the traffic light at Cedar and Riley Streets.

Referred to Mayor, Committee on Public Property and Safety and Traffic Board.

Request from Paul Hamilton for a permit to play music on city streets.

Referred to Mayor, Committee on General Services.

Charter Township of Delta submits copy of resolution passed by them approving the annexation of certain property to City of Lansing.

Received and placed on file.

Consumers Power Co. submits notice of a public hearing to be held in regard to adjustment charge to bills.

Received and placed on file.

## MAYOR'S EXECUTIVE ASSISTANT COMMENTS ON ANY ITEM ON THE AGENDA

Mr. Black spoke in regard to fall leaf pick-up.

Councilmen Brenke and McKane left the session.

## REPORTS OF COMMITTEES

The COMMITTEE ON GENERAL SERVICES approves the following applications and bonds for licenses:

AUCTIONEER—

Robert Hammill.

PUBLIC DRIVER—

Francis Willard Miller.

Signed:

WILLIAM A. BRENKE,
PAT LINDEMANN,
TERRY J. McKANE,
Committee on General Services.

By COUNCILMAN LINDEMANN—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

The COMMITTEE ON PUBLIC PROPERTIES AND SAFETY, to whom was referred the request to use $5,100 remaining in the grant fund for the North Lansing Facade Restoration Project to complete work at 1209 Turner St. which was a Phase I property involved in this project, reports as follows:

Since all private properties in Phase II of the project have been completed, authorization is hereby given to use the remaining grant funds to restore the facade on the private property at 1209 Turner St. This authorization is contingent upon receipt of written approval from the Michi-

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gan History Division, which should also indicate approval from the Federal government.

Signed:

PAT LINDEMANN,
SIDNEY P. WORTHINGTON,
JAMES D. BLAIR,
Committee on Public Properties and Safety.

By COUNCILMAN LINDEMANN—

That the report of the Committee be adopted.

By COUNCILMAN WORTHINGTON—

That the Committee Report be amended as follows:

In the first line after the word "use" add the following wording: "a portion of the"; and in the 5th line after the word "use" add "a portion of."

Carried.

The resolution as amended was adopted by the following vote:

Unanimously.

Councilman McKane returned to the session.

The COMMITTEE ON PHYSICAL DEVELOPMENT, to whom was referred the rezoning petition Z-24-81—for property at 2519 N. Grand River Avenue from "F" Commercial District to "C-2" Wholesale District, reports as follows:

That said rezoning be approved.

Signed:

SIDNEY P. WORTHINGTON,
WILLIAM A. BRENKE,
LUCILE BELEN,
Committee on Physical Development.

By COUNCILMAN WORTHINGTON—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

## REPORTS OF CITY OFFICERS AND BOARDS

September 29, 1981

President Lucile Belen and

Members of the City Council

Re: Claim of Joyce Tucker in the amount of $8.50

Dear President Belen and
Members of City Council:

An August 31, 1981, claimant's automobile sustained a flat tire as a result of her automobile striking a chuckhole while traveling south on Logan Street just south of Grand River.

MCLA 691.1403 provides that:

"A governmental agency is not liable for damage sustained unless the agency knew or should have known of the existence of a defect in the street."

In this case, the Public Service Department has advised this office that it had no knowledge of the chuckhole in question.

Because the City had no previous notice of the chuckhole it is the recommendation of this office that the claim be denied on the basis of governmental immunity.

Respectfully submitted,

STEPHEN R. SAWYER,
City Attorney.

By COUNCILMAN ADADO—

That we concur in the recommendation of the City Attorney and said claim be denied.

Carried.

Councilman Brenke returned to the session.

October 2, 1981

President Lucile Belen and

Members of Lansing City Council

Re: Settlement of Circuit Court Case of Capitol Savings & Loan Association v Bernice Collins, Coland, Inc. v City of Lansing; Case No. 80-24948-CH

Dear President Belen and
Members of City Council:

An April 21, 1980, Capitol Savings & Loan Association filed a mortgage foreclosure action against Bernice Collins and Coland, Inc. as owners of income property located at the northwest corner of Washtenaw Street and South Logan Street and commonly identified as 232-234 South Logan Street. On June 6, 1980 Bernice Collins and Coland, Inc. answered Capitol Savings & Loan Association's complaint and filed a cross-claim against the City of Lansing alleging that the placement of the pedestrian overpass upon the northwest and northeast corners of Washtenaw and South Logan Streets in November, 1976 by the City of Lansing's Public Service

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Department resulted in an actual trespass upon Coland, Inc.'s property and an indirect taking of the property. The complaint alleged that Coland, Inc. was unable to rent the house located at 232-234 South Logan Street since November, 1976 because of the pedestrian overpass's close proximity to the house and as a result, the City of Lansing's Building Department had to demolish the vacant apartment house because of its deteriorated condition. Therefore, Coland, Inc. requested both actual and treble damages against the City of more than $23,000.

Mr. Terrell R. Oetzel, an experienced appraiser was retained by the City for the purpose of determining whether the close proximity of the pedestrian overpass resulted in any dimunition of value of the property. Mr. Oetzel provided a written appraisal to this Department which concluded that the pedestrian overpass's close proximity to the house diminished the value of the income property to the extent of $3,000. Further, James Porter, a registered land surveyor was retained by the City in order to ascertain whether the pedestrian overpass or any portion thereof had been placed upon Coland, Inc.'s property without its permission. Mr. Porter provided a certified survey which concluded that a portion of the base of the pedestrian overpass had been placed upon Coland, Inc.'s property. In addition, investigation by this office revealed that the movement and placement of the pedestrian overpass had never been reviewed by the Lansing Planning Department as required by Michigan law.

Based upon the above facts it is clear that the pedestrian overpass is on Coland, Inc.'s property without Coland, Inc.'s permission and that the pedestrian overpass has decreased the value of Coland, Inc.'s property. Thus, the only issue left for the jury to decide in this particular case would be the amount of damage suffered by Coland, Inc. as a result of the City's trespass and indirect taking. As indicated above, the City's expert witness would testify that $3,200 in damages occurred as a result of the close proximity of the pedestrian overpass to the property. In addition, the City's expert witness would testify that a portion of the base of the pedestrian overpass is on Coland, Inc.'s property and the jury would be required to determine the additional amount of damage suffered by Coland, Inc., as a result of the City's trespass.

Coland, Inc. has indicated that it would be willing to settle all claims against the City of Lansing for $8,000. On January 26, 1981 the Lansing City Council adopted a resolution authorizing the acquisition of the property at 232-234 South Logan Street. Capitol Savings & Loan Association and Coland, Inc. have indicated that as part of the settlement and upon payment of the value of the vacant property, which has been determined to be $6,500, Coland, Inc. and Capitol Savings & Loan would also deliver title to the property to the City free and clear of any liens or encumbrances. The exclusive source of the monies for the purchase of the vacant lots would be Federal Community Development funds.

Due to the fact that the City's liability in this case is clear and because of the possibility that a jury might award substantial damages for the trespass by the City on Coland, Inc.'s land as well as for the adverse impact of the pedestrian overpass, this office recommends settlement of this matter as described above and hereby requests City Council's authorization of the same.

Respectfully submitted,

STEPHEN R. SAWYER,
City Attorney.

By COUNCILMAN ADADO—

That we concur in the recommendation of the City Attorney and said settlement be made in the amount of $14,500.00.

Carried.

DATE: September 29, 1981

TO: Council President Lucile Belen, Mayor Gerald Graves and City Clerk Theo Fulton

FROM: Edward J. Piloske, Principal Internal Auditor

SUBJECT: CETA Interim Monitoring Audit for the FY 1980-81 New Way In Inc. CETA Title II Subgrant

In accordance with Section 3-402.3 of the City Charter, the Office of Internal Audit submits the following Interim Monitoring Audit report of New Way In Inc. FY 1980-81 CETA Title II Subgrant, the contract period being October 1, 1980 thru June 30, 1981.

A response from the agency and the City Controller's Office is requested pertaining to Schedule D and the Findings and Recommendations section of this report.

Received and placed on file.

DATE: 9/25/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Operations Analyst Re: Sale of Lot—1231 Lathrop NDA No. 2

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Physical Development.

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September 29, 1981

Council President Lucile Belen and

Members of the Lansing City Council

10th Floor, City Hall

Lansing, Michigan 48933

Dear Council President and Members:

City Council has long been aware of the poor condition of the wrought iron fence which encloses the Mt. Hope cemetery. This fence may be original with the cemetery, which is approximately 100 years old.

In earlier years, the fence was regularly painted by Parks laborers—a very time consuming and therefore expensive process. The fence has not been maintained in this manner for many, many years and has significantly deteriorated. It is also occasionally damaged by automobiles, particularly at the intersection of Mt. Hope and Aurelius Road.

The Parks and Recreation Department, which has contacted local vendors, has estimated that replacement of the fence would cost approximately $94,500. This would replace the Mt. Hope and Aurelius sections which total 3,780 feet. There is at present chain link fence on the south side of the cemetery and no fence along Sycamore Creek.

The Parks and Recreation Department has recommended a possible alternative to this problem. The Department is aware of at least one individual who is interested in purchase of the existing wrought iron fence. The Department estimates that through bidding, the City could receive approximately $25,000 for the existing fence, which would be sufficient to purchase new chain link fence as a replacement. Naturally, the bids would be reviewed for sale of the wrought iron fence and then appropriate transfers would be made prior to solociting bids for purchase of chain link fence.

I am aware that many individuals in the community appreciate the aesthetic qualities of wrought iron fence. I am requesting, however, that City Council provide direction as to the continued maintenance and eventual replacement of the wrought iron fence or as to the replacement program with chain link fence as proposed by the Parks and Recreation Department.

Sincerely,

GERALD W. GRAVES,
Mayor.

Referred to Committee on Public Properties and Safety.

DATE: October 1, 1981

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Submission of attached correspondence from the City Controller Re: Administrative Actions

The attached correspondence is submitted for your information.

GERALD W. GRAVES,
Mayor.

Received and placed on file.

DATE: 10/1/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Submission of attached correspondence from the Hugo J. Hufnagel, City Treasurer Re: July 1981 Real and Personal Property Tax Collection Summary and Delinquent Listing

The attached correspondence is submitted for your information.

GERALD W. GRAVES,
Mayor.

Received and placed on file.

DATE: 10/1/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Mayor's Economic Development Advisory Group Re: Eyde Construction Company request for establishment of Commercial Redevelopment District at Spartan Store site (5015 South Cedar Street)

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Economic Development.

DATE: 10/1/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from Alan E. Tubbs, Secretary to Lansing Planning Board Re: Act 44-81 Stonewood Drive at Hillgate Way

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Physical Development.

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DATE: 10/1/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Submission of attached correspondence from Douglas Finley, Parks Director, Re: Tecumseh/Gier Property Exchange

The attached correspondence is submitted for your information.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Public Property and Safety.

## RESOLUTIONS

By COMMITTEE ON GENERAL SERVICES—

Resolved by the City Council of the City of Lansing:

That the request from the Ladies Cedar Club for a 24-hour liquor permit on Saturday, October 24, 1981 at 7 p.m., at the National Guard Armory is hereby approved provided authorization is given from the Liquor Control Commission.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PUBLIC PROPERTIES AND SAFETY—

Resolved by the City Council of the City of Lansing:

Whereas, on October 14th at 9:00 a.m., the Michigan School for the Blind will dedicate the "AQUEOUS," an interactive play sculpture designed by Martin Richenger, commemorative of the school's recent centennial; and

Whereas, after the dedication of the sculpture, a Very Special Arts Festival will be held on the campus featuring art activities and productions by handicappers from all over Michigan; and

Whereas, this event is of significance to the whole community as well as the School for the Blind;

Now, Therefore, Be It Resolved, the City Council of the City of Lansing hereby authorizes the co-sponsorship of this event and waives the rental fee for the use of the Parks and Recreation Showmobile at 9:00 a.m., Wednesday, October 14th; and

Be It Further Resolved, in view of the limited financial resources of the Schol for the Blind, the Council authorizes the waiving of the deposit requirement for the peg boards used to display the art work.

Adopted by the following vote:

Unanimously.

By COMMITTEE OF THE WHOLE—

Resolved by the City Council of the City of Lansing:

Whereas, a vacancy exists on the Tri-County Regional Planning Commission as a result of Janette Henderson's resignation; and

Whereas, the City Council has considered the name of Ruby Lett to fill said vacancy;

Now, Therefore, Be It Resolved, the City Council of the City of Lansing hereby appoints Ruby Lett to serve on the Tri-County Regional Planning Commission for a term to expire in May of 1983.

Adopted by the following vote:

Unanimously.

By ECONOMIC DEVELOPMENT COMMITTEE—

Resolved by the City Council of the City of Lansing:

Whereas, it is necessary to hold a public hearing on the proposed establishment of a Lansing Commercial Redevelopment District/CRD-8-81, Spartan Store Project, 5015 South Cedar Street, proposed by Eyde Construction Company, more particularly described as:

Commencing in the Section Line at a point 571 ft. West of the SE corner of Section 33, T4N, R2W, City of Lansing, Ingham County, Michigan, thence West 431.5 ft. along the Section line, thence North 0° 50′ West 200 ft., thence West 270 ft., thence North 0° 50′ West 416.5 ft., thence South 89° 34′ East 706.6 ft., thence South 0° 20′ East 611.2 ft. to the point of beginning.

Now, Therefore, Be It Resolved that the City Clerk give at least ten (10) days notice of a public hearing when all persons interested may attend and make any objections they may have to such proposed district; and

Be It Further Resolved that such hearing be held at the Council Chambers in the City Hall on the 26th day of October, 1981 at 7:00 p.m.; and that notice of such hearing be published in a publication of general circulation in said city.

Adopted by the following vote:

Unanimously.

By ECONOMIC DEVELOPMENT COMMITTEE—

Resolved by the City Council of the City of Lansing:

Whereas, it is necessary to hold a public hearing on the proposed establishment of

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a Lansing Commercial Redevelopment District/CRD-9-81, Southwind III, south side of Holmes Road between Logan and Washington, proposed by Eyde Construction Company, more particularly described as:

A part of the Northeast ¼ of Section 32, T4N, R2W, City of Lansing, Ingham County, Michigan, described as commencing at the Northeast corner of Section 32; thence S 89° 49′ W 681.00 feet along the North Section line; thence S 00° 00″ E 50.00 feet to the South right of way line of Holmes Road being the point of beginning; thence S 00° 00″ E 353.00 feet; thence N 89° 49′ E 45.00 feet; thence S 35° 38′ 37″ E 210.65 feet; thence S 89° 49′ W 100 feet; thence N 00° 00′ 00″ E 215.00 feet; thence N 02° 56′ W 354.00 feet to the South right of way of Holmes Road; thence N 89° 49′ W 375.07 feet; thence S 30° 40′ 02″ W 40.00 feet; thence S 89° 49′ W 344.30 feet to the point of beginning, containing 4.36 acres of land, more or less, and subject to a non-exclusive easement for right of way described as that part of the NE ¼ of Section 32, T4N, R2W, City of Lansing, Ingham County, Michigan, commencing at the Northeast corner of Section 32, thence running along the Section Line S 89° 49′ W 681.00 feet; thence South 50.0 feet to the point of beginning on the South right of way line of Holmes Road; thence continuing South 260.0 feet; thence S 89° 49′ W 35.0 feet; thence North 260.0 feet; thence N 89° 49′ E 35.0 feet to the point of beginning.

Now, Therefore, Be It Resolved that the City Clerk give at least ten (10) days notice of a public hearing when all persons interested may attend and make any objections they may have to such proposed district; and

Be It Further Resolved that such hearing be held at the Council Chambers in the City Hall on the 26th day of October, 1981 at 7:00 p.m.; and that notice of such hearing be published in a publication of general circulation in said city.

Adopted by the following vote:

Unanimously.

By COUNCILMAN WORTHINGTON—

Resolved by the City Council of the City of Lansing:

P-8-81

Macron Subdivision
Preliminary Plat—Tentative Approval

---

Whereas, pursuant to the Lansing Subdivision Regulations, being Chapter 37 of the Code of the City of Lansing, Mr. Roy C. Markey has requested tentative preliminary approval of a proposed plat to be known as Macron Subdivision; and

Whereas, the Planning Board has reviewed the proposed preliminary plat and, at their meeting of September 15, 1981, recommended that tentative approval be granted subject to conditions; and

Whereas, the Physical Development Committee of the Council, to whom the report of the Planning Board was referred, concurred therewith;

Now, Therefore, Be It Resolved that the Council of the City of Lansing hereby ordains that the tentative preliminary plat of Macron Subdivision be approved subject to the following conditions:

1) That the final plat be developed with all public improvements, as required by the Lansing Subdivision Regulations and the Michigan State Plat Act.

2) That all lots be graded so that surface water will drain therefrom and will not adversely affect adjacent properties.

3) That the developer utilize an underground electrical distribution system as specified in Section 37-33.1 of the Lansing Subdivision Regulations.

4) That the necessary easements be provided for the installation of all public utilities and shown clearly on the face of the plat.

5) That the plat be redesigned eliminating one (1) lot on the cul-de-sac and the depth variances on Lots 1 and 2.

6) That the flood plain elevation and boundaries be clearly shown on the face of the plat and recorded therewith.

7) That the plat be reviewed and approved by the Department of Natural Resource for compliance with flood plain regulations.

8) That the requirements of the Fire Marshal and Fire Prevention Bureau be complied with.

9) That the requirements of all other responding agencies be complied with.

10) That this tentative approval of the preliminary plat be in effect for a period of twelve (12) months; and

Be It Further Resolved that the City Clerk be, and she is hereby, directed to notify the proprietor(s) of the plat and the surveyor(s) of the land of this action and the conditions thereof.

Adopted by the following vote:

Unanimously.

By COUNCILMAN WORTHINGTON—

Resolved by the City Council of the City of Lansing:

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P-9-81

Webster Farm No. 5 Subdivision
Tentative Preliminary Plat

Whereas, the preliminary plat of Webster Farms Subdivision No. 5 has been submitted for tentative preliminary approval; and

Whereas, the Lansing Planning Board, at their last regularly scheduled meeting on September 15, 1981, voted unanimously to recommend to City Council the preliminary approval; and

Whereas, the Physical Development Committee of City Council has reviewed the report of the Planning Board and concurs therewith;

Now, Therefore, Be It Resolved that the preliminary plat of Webster Farms Subdivision No. 5 is hereby tentatively approved subject to the following conditions:

1) That the final plat be developed with all public improvements as required by the Lansing Subdivision Regulations and the Michigan State Plat Act.

2) That all lots shall be graded so surface water will drain therefrom and will not adversely affect adjacent properties.

3) That the developer utilize underground electrical distribution systems, as specified in Section 37-33.1 of the Lansing Subdivision Regulations.

4) That the necessary easements be provided for the installation of all public utilities.

5) That payment of all special assessments and taxes be made.

6) That the street names be cleared with the Tri-County Regional Planning Commission.

7) That all requirements of the Fire Marshal be complied with.

8) That the requirements of all responding agencies be complied with.

9) That the lot depth, width and 50 foot right-of-way, as requested by the petitioner, be approved.

10) That this tentative preliminary plat of the Webster Farms Subdivision No. 5 be effective for a period of twelve (12) months; and

Be It Further Resolved that the City Clerk be, and she is hereby, directed to attach this approval to the plat and return it to the proprietor.

Adopted by the following vote:

Unanimously.

By COUNCILMAN WORTHINGTON—

Resolved by the City Council of the City of Lansing:

Whereas, Judith and Stephen Wilcox, owners of property at 1816 Davis Avenue, have requested the City to vacate a portion of the public alley adjacent to their property in order to obtain a clear title and sell their property; and

Whereas, the Wilcox's house, built in 1890, was constructed in the alley right-of-way and has foundation area 18 inches by 16.5 feet in the alley; and

Whereas, the City Planning Department has conducted an ACT 285 review on this request, has received support for the vacation from all public agencies reviewing the vacation request and recommends the vacation as requested; and

Whereas, the Council Committee on Physical Development concurs with the Planning Board recommendation;

Now, Therefore, Be It Resolved that the City Council vacates an area 18 inches by 16.5 feet of the public alley adjacent to 1816 Davis Street for the foundation encroachment, and directs the Mayor and City Clerk to convey the vacated area to Judith and Stephen Wilcox.

Adopted by the following vote:

Unanimously.

By COUNCILMAN WORTHINGTON—

Resolved by the City Council of the City of Lansing:

Act-3-81

Monticello Drive
Revised Resolution

Whereas, the Property Management Division of the Administrative Services Department requested an Act 285 review to determine the disposition of the street stub of Monticello Drive; and

Whereas, the Planning Department conducted such a review, recommending vacation and sale of said property; and

Whereas, the Lansing Planning Board recommended approval of vacation and sale of said property in their meeting of March 17, 1981; and

Whereas, the adjacent property owners have indicated an interest in purchasing the additional property; and

Whereas, the Physical Development Committee of the Lansing City Council has reviewed and concurred with the Lansing Planning Board recommendation;

Now, Therefore, Be It Resolved that the Lansing City Council approve the vacation

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of the stub of Monticello Street between 3563 Coachlight and 3601 Coachlight subject to the following conditions:

1) That the street right-of-way be vacated and offered to the two adjacent property owners for a nominal sale price.

2) That the chain link fence remain in place and extended to close the west opening, with landscaping approved by the Lansing Planning Department to be installed along the fence.

3) That the Public Service Department remove the pavement and replace curb and gutter in line with Coachlight Drive, and install a chain link fence bisecting the lot from front to rear.

4) That a full width easement for utilities and a ten-foot (10') pedestrian easement the length of the property (between Coachlight Drive and the Pine Brook Complex) be retained by the City.

It shall also be understood that should the pedestrian easement be utilized in the future, that the parties requesting the installation of the pedestrian sidewalk be responsible for the cost of construction, relocation of landscaping, any additional fencing required and any other costs incidental to the installation of the sidewalk.

Adopted by the following vote:

Unanimously.

## ZONINGS

By COUNCILMAN WORTHINGTON—

Whereas, by petition duly filed on the 15th day of June, 1981, this Council was petitioned to change the following described property from "F" Commercial District to "G-2" Wholesale District, all as set forth in the Zoning Code of this city, and

Whereas, due notice as required by law has been given for a public hearing on said petition, and

Whereas, at such hearing held on the 14th day of September, 1981, all parties interested were heard and given due consideration, and

Whereas, the property involved is described as:

Z-24-81—2519 North Grand River Avenue
Parcel No. 3301-05-476-031

more particularly described as:

The south 79 feet thereof and the east 12 feet thereof of the following described property: Beginning at a point 100 feet south and 70 feet west of the intersection of the east line of Lot 24 and the south line of Grand River Avenue, said south line being 50 feet from and parallel to the center line of Grand River Avenue; thence west 135 feet more or less, to a point on the City right-of-way line, which is 120 feet east of the west line of Lot 24; thence north parallel to said west lot line to the south line of Grand River Avenue; thence southeasterly along the south line of Grand River Avenue to a point 50 feet from and at right angles to the east line of Lot 24; thence southwesterly to the point of beginning; all in Lot 24, Townsend Subdivision, on Sections 4, 5, 8 and 9, T4N, R2W, City of Lansing, Ingham County, Michigan;

from "F" Commercial District to "G-2" Wholesale District.

Whereas, pursuant to Act 207, Public Acts of 1921 as amended, the Planning Board advised the City Council to approve this request; and

Whereas, the Physical Development Committee of City Council, to whom was referred the report of the Planning Board, concurred therewith;

Now, Therefore, Be It Resolved that the Council of the City of Lansing ordains that the request to rezone the above described property from "F" Commercial District to "G-2" Wholesale District be approved; and

Be It Further Resolved that the City Clerk be, and she is hereby, directed to notify the applicant of this action.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON WAYS AND MEANS—

Resolved by the City Council of the City of Lansing:

Whereas, a review of the compensation payments made on behalf of the Lansing Housing Commission substantiate a loss experience rate in excess of their reimbursement rate to the City of Lansing; and

Whereas, the City Council of the City of Lansing based on these facts has determined it necessary to increase the rate at which the Lansing Housing Commission is to compensate the City for Workmen's Compensation Insurance; and

Whereas, the City Controller has recommended a rate of four (4) percent of gross payroll as fair and equitable for said insurance;

Now, Therefore, Be It Resolved, the Lansing City Council hereby authorizes the City Controller to charge the Lansing Housing Commission for Workmen's Compensation Insurance at the rate of four (4) percent of gross payroll; and

Be It Further Resolved, this rate shall be effective on the first day of the Lansing Housing Commission's fiscal year 1982; and

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Be It Finally Resolved, the reimbursement rate shall be reviewed annually by the Finance Department and recommendations on appropriate adjustments to the rate be made to the City Council as part of the annual budget process.

Adopted by the following vote:

Unanimously.

By WAYS AND MEANS COMMITTEE—

Resolved by the City Council of the City of Lansing:

Whereas, the City of Lansing Negotiating Committee and the Negotiating Committee of the Capitol City Lodge No. 141, Fraternal Order of Police, Parks Security Division have completed good faith collective bargaining, and

Whereas, the fruits of such collective bargaining are specifically encompassed within the terms of a new two year agreement between the parties, said contract having been ratified by a majority of the voting membership of the Lodge encompassing City of Lansing employes on September 18, 1981, and

Whereas, the agreement provides for an average increase of 9.8% to the existing salaries of bargaining unit members retroactive to July 1, 1980, and other benefit changes the costs of which are within budgeted appropriation for the current fiscal year,

Now, Therefore, Be It Resolved that the Mayor and City Clerk of the City of Lansing be authorized and they are hereby directed to affix their signatures to said contract subject to approval as to form by the City Attorney and certification as to funds by the City Controller in the manner prescribed by applicable provisions of the Lansing City Charter.

Adopted by the following vote:

Unanimously.

## PUBLIC IMPROVEMENT V

By COUNCILMAN WORTHINGTON—

Resolved by the City Council of the City of Lansing:

That the supplementary special assessment roll for the purpose of demolishing a residential building as per City Council Order of October 20, 1980:

Assessment Roll No. 43-K

(Was) 120 Shepard Street.

as returned by the City Assessor be and the same is hereby ratified and confirmed, and that the Mayor be and hereby is directed to affix within ten days, his warrant directing the City Treasurer to refund to all persons who have paid said tax as originally assessed the pro rata amount of difference as shown in said supplementary roll, and collect all unpaid tax as shown on said roll on or before January 5, 1982.

Adopted by the following vote:

Unanimously.

By COUNCILMAN WORTHINGTON—

Resolved by the City Council of the City of Lansing:

That the supplementary special assessment roll for removal of dead tree on private property:

Assessment Roll No. 47-T

Located at 634 N. Hayford Avenue.

as returned by the City Assessor be and the same is hereby ratified and confirmed, and that the Mayor be and hereby is directed to affix within ten days, his warrant directing the City Treasurer to refund to all persons who have paid said tax as originally assessed the pro rata amount of difference as shown in said supplementary roll, and collect all unpaid tax as shown on said roll on or before January 5, 1982.

Adopted by the following vote:

Unanimously.

By VEHICLE COMMITTEE AND WAYS AND MEANS COMMITTEE—

Resolved by the City Council of the City of Lansing:

That the following transfers be approved:

$78,000.00 from Estimated Revenues
A/C 101-000-000-160

$78,000.00 to Equipment
A/C 110-930-000-977

$59,200.00 from Estimated Revenues
A/C 101-000-000-160

$48,000.00 to Mileage
A/C 101-930-000-870

11,200.00 to Parking Subsidy
A/C 101-930-000-871

I hereby certify that this is a properly drawn and eligible transfer.

JAMES W. DOWSETT,
Finance Director.

Approved:

TERRY J. McKANE,
WILLIAM A. BRENKE,
JACK D. GUNTHER,
Ways and Means Committee.

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By COUNCILMAN ADADO—

That this be tabled.

Lost by the following vote:

Yeas: Councilmen Adado, Belen, Brenke, Lindemann—4.

Nays: Councilmen Blair, Gunther, McKane, Worthington—4.

By COUNCILMAN McKANE—

That this be referred to the Committee of the Whole.

By COUNCILMAN BLAIR—

That discussion be held on this before being referred to the Committee of the Whole.

Much discussion was held.

By COUNCILMAN LINDEMANN—

That we call for the Question.

Adopted by the following vote:

Yeas: Councilmen Adado, Belen, Brenke, Gunther, Lindemann, McKane—6.

Nays: Councilmen Blair, Worthington—2.

By COUNCILMAN McKANE—

That this be referred to the Committee of the Whole.

Adopted by the following vote:

Yeas, Councilmen Adado, Belen, Blair, Brenke, Gunther, Lindemann, McKane,—7.

Nays: Councilman Worthington—1.

By WAYS AND MEANS COMMITTEE—

Resolved by the City Council of the City of Lansing:

That the following transfers be approved:

$7,725.00 from Reserve for Contingency
A/C 101-914-000-963

4,500.00 from Fringe Benefits
A/C 101-930-000-715

$12,105.00 to Salaries—Uniform Div.
A/C 101-316-000-702

120.00 to Longevity—Admin. Div.
A/C 101-305-000-712

$3,000.00 from Salaries & Longevity
A/C 101-441-000-702

$3,000.00 to Wages—Union Business Admin. & Engineering
A/C 101-441-000-705

I hereby certify that this is a properly drawn and eligible transfer.

JAMES W. DOWSETT,
Finance Director.

Approved:

TERRY J. McKANE,
WILLIAM A. BRENKE,
JACK D. GUNTHER,
Ways and Means Committee.

Adopted by the following vote:

Unanimously.

## REMARKS BY THE MAYOR'S EXECUTIVE ASSISTANT

No remarks.

## REMARKS BY CITY COUNCIL

Councilman Brenke spoke re: fish at North Lansing Dam and safety precautions and asked people to beware of the turbulence of river, especially for the safety of the children.

Administration check safety at the dam.

Councilman Belen asked Vice President Gunther to take the chair while she made answer to remarks said about her.

Rev. Mrs. J. West spoke.

By COUNCILMAN BELEN—

That this meeting stand adjourned.

Carried.

Council adjourned at 9:40 p.m.

THEO FULTON,
City Clerk.

Lansing, Michigan

October 5, 1981

F/B

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CITY CLERK'S OFFICE
Room 921, City Hall
Lansing, Michigan 48933

Address Correction Requested

BULK RATE
U. S. POSTAGE
PAID
Permit No. 1461
Lansing, Michigan



# OFFICIAL PROCEEDINGS OF
# THE CITY COUNCIL
## OF THE CITY OF LANSING

## Proceedings, October 12, 1981

CITY COUNCIL ROOMS

Lansing, Michigan

October 12, 1981

The City Council of the City of Lansing, Michigan, met in regular session and was called to order by President Belen.

Present: Councilmen Adado, Belen, Blair, Brenke, Gunther, McKane, Worthington—7.

Absent: Councilman Lindemann—1.

The Clerk announced that a quorum of the Council was present.

Invocation was given by Councilman Gunther.

Pledge of Allegiance was led by Councilman Gunther.

By COUNCILMAN McKANE—

That the Council Proceedings of September 14 and 21, 1981, be approved

Carried.

October 8, 1981

Miss Theo Fulton
Lansing City Clerk
9th Floor, City Hall
Lansing, Michigan 48933

Dear Miss Fulton:

Attached is my Veto Message dealing with Resolution (5d) of Monday, October 5, 1981, pertaining to the vacation of the stub end of Monticello Drive (Act-3-81).

It is submitted to you in accordance with Section 3-305 of the Lansing City Charter.

Sincerely,

GERALD W. GRAVES,
Mayor.

Referred to Committee on Physical Development and Committee on Ways and Means.

October 8, 1981

Honorable Council President Lucile Belen and Members of the Lansing City Council

10th Floor, City Hall

Lansing, Michigan 48933

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Dear Council President and Members:

In March of this year, a recommendation was forwarded to you regarding the vacation of the stub of Monticello Drive (Act-3-81) as recommended by the Planning Board. City Council passed a revised Resolution (5d) on Monday, October 5, 1981, approving the vacation with certain stipulations.

It has been brought to my attention that those stipulations would cost the City approximately $5,000 for which no funds have been approved. This is outlined in the memorandum of February 11, 1981, from the Public Service Department to the Planning Department. Unfortunately, the Planning Director failed to advise his Board or myself of these costs. Effectively, the City would wind up spending $5,000 to sell this property for "a nominal sale price" and return the property to the tax rolls. In the past, City Council has interpreted a nominal sale price as $1.00 per front foot, therefore, netting not more than $66.00 to the City.

While considerable time has passed since this recommendation was first submitted to City Council, during that time we have witnessed a substantial deterioration in the City's financial condition, as I outlined in my report to City Council last Monday. Therefore, there is no way that I can allow this action to stand.

For the above stated reasons, I place my Veto over Resolution (5d), as approved by you, and I do so in accordance with Section 3-305 of the Lansing City Charter.

Sincerely,

GERALD W. GRAVES,
Mayor.

**THE PUBLIC MAY NOW ADDRESS THE CITY COUNCIL ON ANY OF THE FOLLOWING ITEMS LISTED ON THE AGENDA: COMMUNICATIONS AND PETITIONS, COMMITTEE REPORTS, REPORTS OF CITY OFFICERS AND BOARDS AND RESOLUTIONS. YOU MAY SPEAK ONLY FOR 3 MINUTES ON ANY ONE ITEM.**

No person spoke.

## COMMUNICATIONS AND PETITIONS

The following applications and bonds have been filed for licenses:

PEDDLER—

John Overmyer.

Referred to Committee on General Services.

Summons filed in Circuit Court by Maxine Gibbons vs. City of Lansing for injuries sustained due to stepping in a depression in sidewalk.

Referred to Mayor, City Attorney.

Claim filed by Scott K. Hisler for damage to his automobile due to manhole cover.

Referred to Mayor, City Attorney.

Petition filed for rezoning:

Z-34-81—

The West 1/3 of Lots 1 and 2 of Block "A" of Seymour's Subdivision of Original Blocks 26 and 27 (513 West Willow St.).

The East 1/3 of Lots 11 and 12, Block A of Subdivision of Blocks 26 and 27, City of Lansing, Ingham County (519 West Willow St.).

East ½ of the West 2/3 of Lots No'd. 11 and 12, Block 2 in Seymour's Subdivision of Original Blocks 26 and 27, City of Lansing, Ingham County, Michigan (523 West Willow St.).

Lot 10, Block A, Seymour's Subdivision of Blocks 26 and 27, Original Plat to the City of Lansing, Ingham County, Michigan (1216 N. Pine St.).

The West 1/3 of Lot 11 and Lot 12 of Block A of the Subdivision of Blocks 26 and 27, Original Plat, City of Lansing, County of Ingham and State of Michigan (527 W. Willow St./1224 N. Pine St.) from "C" Two Family Residential District to "E-1" Drive-In Shop District.

Referred to Mayor, Planning Board.

Letter from Rev. Lloyd R. VanLente of the Central United Methodist Church asking that the City Council give a favorable recommendation on special use permit SUP-2-81—at 219 S. Butler Street.

Referred to Mayor, Committee on Physical Development.

Request from DisMar Productions for special 24-hour permit for October 31, 1981, at the Washington Avenue Armory.

By COUNCILMAN BRENKE—

That said request be approved provided that all conditions are met.

Carried.

Request from Edwin B. Lewis for McKane for Mayor Committee requesting permission to stage an Old Fashioned Out-

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door Political Rally on Thursday—October 22, 1981 at noon on the South Washington Square and Washtenaw Street.

By COUNCILMAN BRENKE—

That said request be approved.

Carried.

Letter from Charles F. Cummins, Atty. for Perfection Fabrication, Inc., asking that the Council approve the transfer of employees to Mulliken.

Referred to Mayor, Committee on Economic Development.

Letter from CATA (Capital Area Transportation Authority) asking that the Council support in resolution from the November 3, 1981 CATA referendum.

Referred to Mayor, Committee of the Whole.

Invitation from the VIP Neighborhood Association to Council Members to attend a meeting on October 15, 1981 at the Bethany Baptist Church.

Received and placed on file.

Letter from Shirley Munk in regard to Granger Landfill.

Referred to Mayor, Committee on Physical Development.

Letter from Garry Goolsby in regard to the deposit policy of the Board of Water and Light.

Referred to Mayor, Board of Water and Light.

## MAYOR'S EXECUTIVE ASSISTANT COMMENTS ON ANY ITEM ON THE AGENDA

No comment.

## REPORT OF COMMITTEE

The COMMITTEE ON GENERAL SERVICES approves the following applications and bonds for licenses:

PEDDLER—

John Overmyer.

Signed:

WILLIAM A. BRENKE,
PAT LINDEMANN,
TERRY J. McKANE,
Committee on General Services.

By COUNCILMAN BRENKE—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

## REPORTS OF CITY OFFICERS AND BOARDS

October 8, 1981

President Lucile Belen and
Members of the City Council

10th Floor—City Hall

Lansing, Michigan

Gentlemen:

I am attaching a letter of intent signed by Mary Ann Pawluk, an employee of the City of Lansing—Administrative Services Dept., Operational Services Division, in accordance with Chapter 5-505.1 of the Lansing City Charter.

Very truly yours,

THEO FULTON,
City Clerk.

Received and placed on file.

DATE: October 5, 1981

TO: Council President Lucile Belen, Mayor Gerald Graves and City Clerk Theo Fulton

FROM: Edward J. Piloske, Principal Internal Auditor

SUBJECT: CETA Interim Monitoring Audit for the FY 1980-81 Greater Lansing Urban League, Inc. CETA Title II Subgrant

In accordance with Section 3-402.3 of the City Charter, the Office of Internal Audit submits the following Interim Monitoring Audit report of the Greater Lansing Urban League, Inc. FY 1980-81 CETA Title II Subgrant, the contract period being October 1, 1980 thru June 30, 1981.

A response from the agency and the City Controller's Office is requested pertaining to Schedule D and the Findings and Recommendations section of this report.

Received and placed on file.

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DATE: 10-7-81

TO: President Lucile Belen and Members, Lansing City Council

FROM: Police Chief Richard A. Gleason

SUBJECT: Parade Application—Michigan Assn. for Retarded Citizens

Attached is an application for a parade permit from the Michigan Association for Retarded Citizens, scheduled for 11:45 A.M. on Thursday, October 15, 1981, which has been approved by all necessary departments.

Our personnel estimate this will cost the City a total of $95.08, which represents one Sergeant, four Officers and five vehicles for one hour.

This is being sent to you for final disposition.

By COUNCILMAN BRENKE—

That said parade permit be approved and that all required signatures be obtained.

Carried.

DATE: 10/8/81

TO: Lucile Belen—President of the City Council and Members

FROM: William E. Collette—Chief District Judge

SUBJECT: Court/Bargaining Unit Contract

The Court wishes to advise the Council that tentative agreement has been reached between the 54A District Court and Teamsters Local No. 580 on a new 3-year contract.

Pursuant to law, we are referring this matter to you for your review and ratification on economic issues. I will be available, along with other Court personnel, as needed to discuss this matter with those council committees deemed appropriate by yourselves.

WILLIAM E. COLLETTE.

Referred to Committee of the Whole.

DATE: 10/5/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Director of Building Safety and Development Re: Grass Cutting Assessment for December 1981 Tax Roll (L-20)

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

By COUNCILMAN LINDEMANN—

That we concur in the recommendation of the Mayor and said assessments be placed on the December 1981 tax roll (L-20).

Carried.

DATE: 10/5/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Submission of attached correspondence from the City Controller Re: CETA Monitoring Audit of Impression 5

The attached correspondence is submitted for your information.

GERALD W. GRAVES,
Mayor.

Received and placed on file.

DATE: 10/5/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Submission of attached correspondence from the City Controller Re: CETA Monitoring Audit of Lansing Art Gallery

The attached correspondence is submitted for your information.

GERALD W. GRAVES,
Mayor.

Received and placed on file.

DATE: 10/7/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Submission of attached correspondence from the City Controller Re: CETA Monitoring Audit of Greater Lansing Safety Council

The attached correspondence is submitted for your information.

GERALD W. GRAVES,
Mayor.

Received and placed on file.

DATE: 10/7/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

SUBJECT: Eyde Construction Company request for establishment of Commercial Redevelopment District for Southwind III project (Logan and Holmes)

The attached memorandum from the Mayor's Economic Development Advisory Group is forwarded to you for your action, without my concurrence.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Economic Development.

October 6, 1981

Honorable Council President Lucile Belen and Members of the Lansing City Council

10th Floor, City Hall

Lansing, Michigan 48933

Dear Council President and Members:

On August 18, 1981, we requested that Kathryn Haar and Howard Spence be named as Temporary Directors for the "Martin Office Building Project," which had been formerly known as the "Jury-Rowe Building Project." These two individuals had previously been confirmed to serve as Temporary Directors for the "Jury-Rowe Building Project" and we were at that point requesting that they be confirmed to serve in the same capacity for the "Martin Office Building Project."

Confirmation under the new designation was never made. And, on September 4, 1981, the developers for the "Martin Office Building Project" advised that they were no longer interested in this property.

Therefore, I am asking that you confirm Kathryn Haar and Howard Spence, again, to serve as Temporary Directors for the "Jury-Rowe Building Project."

Trusting this meets with your approval, I remain

Sincerely,

GERALD W. GRAVES,
Mayor.

Referred to Committee on Economic Development.

DATE: 10/8/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the City Controller Re: Financial Security—Trappers Cove No. 2 Subdivision request to release $55,900.00 in financial security

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

By COUNCILMAN BLAIR—

That said release of the financial security be approved.

Carried.

DATE: 10/8/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Public Service Director Re: Proposed Act 51 Legislation

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee of the Whole.

DATE: 10/8/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Submission of attached correspondence from the Mayor's Staff Re: Closing of Lowcroft Street

The attached correspondence is submitted for your information.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Public Property and Safety.

October 7, 1981

Council President Lucile Belen and Members of the Lansing City Council.

10th Floor, City Hall

Lansing, Michigan 48933

Dear Council President and Members:

As you will recall, I submitted a major reorganization plan on October 31, 1978, pursuant to the then recently approved City Charter requirements. The critical portions of this plan were subsequently approved by City Council, and as a result the efficiency of City operations have greatly improved.

Included in this reorganization were the assignments of several small divisions to

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established line and staff departments; clear lines of authority and responsibility were set; and consolidations made—including the creation of new Administrative Services Department. The reorganization also included the reassignment of Park Security to the Lansing Police Department.

In the two years since this reorganization took place we have identified certain benefits of having the Park Security Division return to be a part of the Parks and Recreation Department. Primarily, it is desirable to have specialized and identifiable Park Officers rather than integrating them into the Uniform Division of the Lansing Police Department. Further, the breaking out of specialized activities from the complex priorities that exist within the Police Department allows more fully for the attention which should be given to this unit. Finally, regaining normal communication between park field operations people and Park Officers improves the efficiency of both.

After consultation with Chief of Police, the Director of Parks and Recreation, and the Personnel Director, I concur in their recommendation to reorganize responsibilities, and to assign the seven (7) Park Security positions to the Parks and Recreation Department. Procedural actions and training opportunities, as characteristic of the Police Department, are available to and will be employed by the Park and Recreation Department.

This proposed reorganization is submitted to you in compliance with Section 4-301.7 of the Lansing Charter for your review. It will become effective on January 7, 1982, as provided for in that section unless disapproved by a resolution of two-thirds of the City Council. I encourage your support of this proposed reorganization.

Sincerely,

GERALD W. GRAVES,
Mayor.

Referred to Committee of the Whole.

## RESOLUTIONS

By COMMITTEE ON PHYSICAL DEVELOPMENT—

Resolved by the City Council of the City of Lansing:

Whereas, the Lansing City Council has established a policy regarding the disposition of vacant lots in Neighborhood Development Areas; and

Whereas, Section 8-403.4 of the City Charter of the City of Lansing requires that City Council approve proposed sales of real estate,

Now, Therefore, Be It Resolved by the Lansing City Council that the following proposed sale be and is hereby approved:

To Karl M. Keyes, the property legally described as that part of Lots 95 and 96 lying west of west right-of-way line Southbound Highway M-99 except the North 10.8 feet thereof, being in Assessor's Plat No. 42, City of Lansing, as recorded in Liber 6 of Plats, page 48, Ingham County records. (NDA No. 1, property north of 1302 W. St. Joseph).

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PUBLIC PROPERTIES AND SAFETY—

Resolved by the City Council of the City of Lansing:

Whereas, the Michigan Legislature in 1978 passed Public Act No. 316, which specifically enables a police officer to make an arrest without a warrant for assault of a spouse, former spouse, or of a person of the opposite sex residing or having resided in the same household if the police officer had reasonable cause to believe that an assault had occurred even though the assault did not occur in his or her presence; and

Whereas, an amendment to this legislative act, Public Act 471, of 1980, went into effect in April 1981, expanding this provision to include the protection of all persons residing or having resided in the same household; and

Whereas, the Lansing City Council is desirous that the provisions of 1978 Public Act 316, as amended, be fully utilized to assist in dealing with domestic assaults;

Now, Therefore, Be It Resolved that the Lansing City Council affirms that it shall be the policy of the City of Lansing to support the Lansing Police Department in fully enforcing and utilizing all provisions of 1978 Public Act 316 as amended; and

Be It Further Resolved that the City Administration and Lansing Police Department are requested to establish such training programs and guidelines, in conjunction with appropriate agencies, as may be necessary to implement this policy.

Adopted by the following vote:

Unanimously.

By ECONOMIC DEVELOPMENT COMMITTEE—

Resolved by the City Council of the City of Lansing:

Whereas, on September 14, 1981, this Council did approve the Fisher Body Division of General Motors Corporation's application for an Industrial Facilities Exemption Certificate for expansion of the plant at 401 North Verlinden; and

Whereas, the Fisher Body Division of

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General Motors Corporation expects to complete the expansion project to which the Industrial Facilties Exemption Certificate applies during the fourth quarter of 1983.

Now, Therefore, Be It Resolved that this Council finds that good cause exists to extend the time limit for completion of the Fisher Body project for eighteen months, from two to three and one-half years; and

Be It Further Resolved that the State Tax Commission be requested to concur in authorizing the extension of the time limit for completion of the Fisher Body project for eighteen months, from two to three and one-half years.

Adopted by the following vote:

Unanimously.

By ECONOMIC DEVELOPMENT COMMITTEE—

**RESOLUTION APPROVING PROJECT PLAN**

**(Jackson National Life Insurance Project)**

Minutes of a regular meeting of the City Council of the City of Lansing, County of Ingham, Michigan, held at 7:00 o'clock p.m., Michigan Time, on October 12, 1981, at which the following members were present: Councilmen Adado, Belen, Blair, Brenke, Gunther, McKane, Lindemann, and Worthington; and the following were absent: None.

The following preamble and resolution were offered by Councilman Adado and supported by Councilman Gunther:

Whereas, this City Council has received a Project Plan dated September 2, 1981, for the Jackson National Life Insurance Project (the "Project") of The Economic Development Corporation of the City of Lansing (the "Issuer"); and

Whereas, pursuant to Section 8 (2) of the Economic Development Corporations Act, Public Act No. 338 of the Michigan Public Acts of 1974, as amended (the "Act"), this City Council has been requested by the Issuer to review and approve the Project Plan for this Project; and

Whereas, this City Council has given due consideration to the Project Plan; and

Whereas, this City Council desires to express its approval of said Project Plan and the Project described therein, and wishes to request the Issuer to proceed with the Project and the financing thereof.

Now, Therefore, Be It Resolved by the City Council of the City of Lansing, as follows:

1. It is hereby determined that the Project Plan for the Project as presented constitutes a public purpose within the meaning of the Act and said Project Plan is hereby approved in its entirety.

2. It is hereby determined that the Project Plan meets the requirements set forth in Section 8 of the Act.

3. The Issuer is hereby requested to proceed with the acquisition of the Project and financing thereof.

4. All resolutions or parts thereof in conflict with this resolution are hereby repealed, but only to the extent of such conflict.

5. The City Clerk is hereby directed to provide three (3) certified copies of this resolution to the Secretary of the Issuer.

Yeas: Councilmen Adado, Belen, Blair, Brenke, Gunther, Lindemann, McKane, and Worthington.

Nays: None.

Abstentions: None.

Resolution declared adopted.

STATE OF MICHIGAN }
COUNTY OF INGHAM } ss.

I hereby certify that the foregoing is a true and complete copy of a resolution adopted at a regular meeting of the City Council of the City of Lansing, County of Ingham, Michigan, held on the 12th day of October, 1981, and that the said minutes are on file in the office of the City Clerk and are available to the public. Public notice of said meeting was given pursuant to and in compliance with Act No. 267, Public Acts of Michigan, 1976, as amended.

THEO FULTON,
Lansing City Clerk.

Dated: October 12, 1981

Adopted by the following vote:

Unanimously.

By COUNCILMAN BLAIR—

Resolved by the City Council of the City of Lansing:

Whereas, President Ronald Reagan has announced his intention to end the Comprehensive Employment and Training Act (CETA) program on September 30, 1982, and phase out the Federal General Revenue Sharing program over a two-year period; and

Whereas, the local CETA program, run by the Tri-County Regional Manpower Consortium, served 10,457 participants in 1980, 95% of whom were economically disadvantaged, with more than one-third receiving some form of public assistance payments; and

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Whereas, about 70% of the 1980 participants left the program under positive circumstances, with 2,016 being directly placed in unsubsidized employment, and another 2,949 leaving for such reasons as additional schooling, serving in the armed forces, etc.; and

Whereas, the City of Lansing has received about $3 million per year in General Revenue Sharing funds since the 1972-73 fiscal year, using this return of Lansing's federal tax dollars to provide critical services to the community, such as the Uniform Division of the Police Department; and

Whereas, loss of anticipated Revenue Sharing income could cause immediate diversion of local fiscal resources away from all discretionary programs, such as parks and recreation, economic development, and human services, including support of community agencies, in order to maintain present levels of service in basic police and fire protection;

Now, Therefore, Be It Resolved, the Lansing City Council hereby opposes the President's plan to delete the CETA and General Revenue Sharing Programs, which have been of great benefit to the Lansing community; and

Be It Further Resolved, the City Council urges the U. S. Congress, especially the Michigan delegation, to resist the President's attempts to trim the federal budget at the expense of cities already hard hit by the current recession.

Adopted by the following vote:

Unanimously.

By COMMITTEE OF THE WHOLE—

Resolved by the City Council of the City of Lansing:

Whereas, the Board of Directors of the Economic Development Corporation of Lansing has expressed its strong opposition to proposed legislation in Congress which would severely restrict the availability of tax exempt financing for many projects in the City of Lansing; and

Whereas, the City of Lansing has benefited substantially through the use of tax exempt financing for a variety of industrial and commercial projects; and

Whereas, the tax base has been increased, new jobs created and many jobs have been retained as a result of these projects; and

Whereas, Lansing's depressed economy is reflective of the whole State of Michigan with high unemployment, high interest rates and a burdensome tax structure;

Now, Therefore, Be It Resolved, the City Council of the City of Lansing hereby reaffirms its strong support of tax exempt financing for industrial and commercial projects; and

Be It Further Resolved, the Council fully concurs with the Board of Directors of the Lansing Economic Development Corporation in urging each member of Michigan's congressional delegation to do whatever is possible to support the continuation of tax exempt financing.

Adopted by the following vote:

Unanimously.

By COMMITTEE OF THE WHOLE—

Resolved by the City Council of the City of Lansing:

Whereas, an adequate and balanced transportation system is vital to the economic development and growth of the City of Lansing; and

Whereas, the City of Lansing is committed to extension development in its downtown area in an all out attempt to revitalize the heart of the City; and

Whereas, the City is also interested in attracting more visitors and convention business; and

Whereas, governmental units at all levels are facing serious financial difficulties which threaten their ability to continue supporting our system of public transportation; and

Whereas, use of public transportation increases in time of economic uncertainty, a transportation crisis now, would adversely affect all citizens of Michigan particularly the elderly and handicapped persons who are transit dependent; and

Whereas, local revenue must be generated for the continuation of the Capital Area Transportation Authority within our service area;

Now, Therefore, Be It Resolved, the City Council of the City of Lansing hereby lends its full endorsement to the proposed November 3rd, 1981 CATA Referendum; and

Be It Further Resolved, in the interest of continued excellence in public transportation for the City of Lansing the Council urges the registered voters of our City to support the Capital Area Transportation Authority Referendum.

Adopted by the following vote:

Unanimously.

By COMMITTEE OF THE WHOLE—

Resolved by the City Council of the City of Lansing:

Be It Resolved that the City Council of the City of Lansing hereby concurs in the reorganization as proposed by the Mayor to transfer the parks security unit from

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the Police Department to the Department of Parks and Recreation.

Adopted by the following vote:

Unanimously.

By COMMITTEE OF THE WHOLE—

Resolved by the City Council of the City of Lansing:

Whereas, since 1977, October has been declared Child Protection Month in Lansing; and

Whereas, the incidence of child abuse of all description is increasing proportionally as unemployed and economic conditions worsen; and

Whereas, the Council for the Prevention of Child Abuse and Neglect has planned a full schedule of events this month to promote public awareness as to the magnitude and urgency of this malignancy in our society; and

Whereas, we will suffer the consequences of a future wrought with violence, mental illness and pain if we don't deal with the problems today, instead of the symptoms;

Now, Therefore, Be It Resolved, the City Council of the City of Lansing hereby declares the month of October "CHILD PROTECTION MONTH" in the greater Lansing area; and

Be It Further Resolved, the citizens of Lansing are encouraged to participate in as many of the scheduqled activities as possible bearing in mind the Council's slogan "IT SHOULDN'T HURT TO BE A CHILD."

Adopted by the following vote:

Unanimously.

By WAYS AND MEANS COMMITTEE—

Resolved by the City Council of the City of Lansing:

That the following transfers be approved:

$ 30.00 from General Fund—Estimated Revenue
A/C 101-000-000-160

$ 30.00 to General Fund—Fire Administration, Citizen's Contributions
A/C 101-337-000-956

$110,330.00 from Uniform Div.—Salaries
A/C 101-316-000-702

1,840.00 from Administration—Overtime
A/C 101-305-000-708

4,250.00 from Administration—Holiday Pay
A/C 101-305-000-710

616.00 from Administration—Dry Cleaning
A/C 101-305-000-725

$110,330.00 to Salaries—Park Security
A/C 101-695-000-702

1,840.00 to Overtime—Park Security
A/C 101-695-000-708

4,250.00 to Holiday Pay—Park Security
A/C 101-695-000-710

616.00 to Misc. and Operating Expense—Park Security
A/C 101-695-000-741

I hereby certify that this is a properly drawn and eligible transfer.

JAMES W. DOWSETT,
Finance Director.

Approved:

TERRY J. McKANE,
JACK D. GUNTHER,
WILLIAM A. BRENKE,
Ways and Means Committee.

Adopted by the following vote:

Unanimously.

## REMARKS BY THE MAYOR'S EXECUTIVE ASSISTANT

No comments.

Elizabeth Bogue thanked the Council, Police Department and all those involved relative to Michigan Spouse Abuse Act.

By COUNCILMAN BELEN—

That this meeting stand adjourned.

Carried.

Council adjourned at 8:00 p.m.

THEO FULTON,
City Clerk.

Lansing, Michigan

October 12, 1981

F/B

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CITY CLERK'S OFFICE
Room 921, City Hall
Lansing, Michigan 48933

Address Correction Requested

BULK RATE
U. S. POSTAGE
PAID
Permit No. 1461
Lansing, Michigan



# OFFICIAL PROCEEDINGS OF
# THE CITY COUNCIL
## OF THE CITY OF LANSING

## Proceedings, October 19, 1981

CITY COUNCIL ROOMS

Lansing, Michigan

October 19, 1981

The City Council of the City of Lansing, Michigan, met in regular session and was called to order by President Belen.

Present: Councilmen Adado, Belen, Blair, Brenke, Gunther, Lindemann, McKane, Worthington—8.

Absent: None.

The Clerk anounced that a quorum of the Council was present.

Invocation was given by Councilman Louis Adado.

Pledge of Allegiance was led by Junior Civitan Club of Lansing.

By COUNCILMAN ADADO—

That the Council Proceedings of Sept. 28, 1981 be approved.

Carried.

By COUNCILMAN ADADO—

Resolved by the City Council of the City of Lansing:

That the rules of the Council be waived for the purpose of presenting resolution No. 1 at this time.

Carried.

By COUNCILMAN ADADO—

Resolved by the City Council of the City of Lansing:

Whereas, the Detroit Free Press International Marathon was held in Detroit on October 11th, 1981; and

Whereas, participants from all over the United States as well as several other countries came to run the 26 mile, 385 yard course through the most picturesque areas of Detroit and Windsor, Ontario; and

Whereas, training for a marathon requires a special kind of dedication and just plain work running as many as 20 miles per day; and

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Whereas, three employees of the City of Lansing, Bill Acheson, Roy Murphy, and John Salmons, qualified and registered to run in the Free Press Marathon; and

Whereas, Mr. Salmons of our Planning Department trained intensely only to succumb to tendonitis one week before the race; and

Whereas, Mr. Acheson (Planning Department) and Mr. Murphy (Assessor's Office) ran and finished the marathon with very respectable times;

Now, Therefore, Be It Resolved, the City Council of the City of Lansing hereby extends its heartiest congratulations to Bill Acheson, Roy Murphy and John Salmons for their effort and personal sacrifice which bring credit to our community.

Adopted by the following vote:

Unanimously.

## HEARING ON PROPOSED CHANGES IN ZONING CLASSIFICATIONS

October 18, 1981, at 7:00 o'clock being the time set as the time for holding a hearing on the proposed changes in the Classifications as provided for in the Zoning Code which was passed by the City Council on November 13, 1958, said proposed amendment being as follows:

That the property described as:

Z-25-81 — 6000 block of Grovenburg Road,

be rezoned from "A" One Family Residential District to "D-1" Professional Office District.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed amendment(s) to the Classifications provided for in the Zoning Code he had the privilege of speaking at this time.

No objections were made to the proposed amendment(s).

Referred to Committee on Physical Development.

October 19, 1981, at 7:00 o'clock being the time set as the time for holding a hearing on the proposed changes in the Classifications as provided for in the Zoning Code which was passed by the City Council on November 13, 1958, said proposed amendment being as follows:

That the property described as:

Z-7-81 — 1832 Hoyt Street,

be rezoned from "A" One Family Residential District to "C" Two Family Residential District.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed amendment(s) to the Classifications provided for in the Zoning Code he had the privilege of speaking at this time.

No objections were made to the proposed amendment(s).

Referred to Committee on Physical Development.

**THE PUBLIC MAY NOW ADDRESS THE CITY COUNCIL ON ANY OF THE FOLLOWING ITEMS LISTED ON THE AGENDA: COMMUNICATIONS AND PETITIONS, COMMITTEE REPORTS, REPORTS OF CITY OFFICERS AND BOARDS, AND RESOLUTIONS. YOU MAY SPEAK ONLY FOR 3 MINUTES ON ANY ONE ITEM.**

Resolution No. 6A1 was removed from the agenda and referred to the Committee of the Whole for the Thursday afternoon meeting.

No person spoke.

## COMMUNICATIONS AND PETITIONS

Summons filed in Circuit Court by:

Merl Lemon, Duane Hill and the Lansing Independent Employees Union vs City of Lansing, Mayor Graves, Personnel Director in regard to being released from employment from the City of Lansing.

Roland H. and Joann Starr vs City of Lansing in regard to property at 305 River St. being used for parking.

Gregory and Lana Byrd vs City of Lansing in regard to property at 1302 N. Pine St. that was ordered to be demolished.

Referred to Mayor, City Attorney.

Claims filed by:

Judy L. Wirth for damage to her automobile due to hitting an unmarked construction hole in street.

Daniel J. Wright, Atty. for Mrs. Leona M. Hudnut, for injuries sustained due to fall on defective sidewalk.

Referred to Mayor, City Attorney.

Petition filed for rezoning:

Z-35-81 —

Lots 79, 80, 81 of Hylewood Subd., City of Lansing, Ingham County, Michigan, from "A" One Family Residential District

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to "B" One Family Residential District — (625 W. Sheridan St.).

Referred to Mayor, Planning Board.

Request filed for special 24-hour liquor permit for the State Employees Retirees Association — December 2, 1981 — National Guard Armory.

Referred to Mayor and Committee on General Services.

Petition filed in regard to condition that exists at 220 N. Pine St. from 10:00 p.m. to 2:00 p.m. and asking that the curfew and noise ordinance be enforced.

Referred to Mayor, Police Department, City Attorney.

Letter from Lindell Drop Forge Co. in regard to the Southwest Area Comprehensive Development Plan.

Referred to Mayor, Planning Board.

Letter from Dennis Hurst, representing the Cherry Hill Neighborhood Association, in regard to the Cherry Hill neighborhood redevelopment project proposed by the Cooley Law School.

Referred to Mayor, Redevelopment Department.

Maner, Costerisan & Ellis, P.C., submits audit report on financial statements of the City of Lansing and the 54A District Court for year ended June 30, 1981 and makes certain recommendations.

Received and placed on file with copy to the Internal Auditor Department for their review.

Letters from the Department of Natural Resources relative:

Reissued permit for sewerage construction for the Tammany Hills No. 4 Subd.

Received and placed on file.

Preliminary Plat of Macron Subd.

Received and placed on file.

Notice from the State of Michigan, Michigan Public Service Commission, in regard to matter of application of Consumers Power Co. for approval of refund procedure.

Received and placed on file.

## MAYOR OR HIS EXECUTIVE ASSISTANT COMMENTS ON ANY ITEM ON THE AGENDA

Mr. Black spoke on the Certificate of Conformance in Financial Reporting by the Municipal Finance Officers Association of the United States and Canada (MFOA) for its Comprehensive Annual Financial Report (CAFR) that was awarded to the City of Lansing and presented to City Controller Stephen W. Duarte.

Agenda Item 2

## REPORT OF COMMITTEE

The COMMITTEE ON PHYSICAL DEVELOPMENT, to whom was referred the ordinance of the City of Lansing providing that the Code of Ordinances be amended by adding a new section to be numbered Section 36-116.12 to provide for an amendment to the amended Physical Development Plan NDA No. 3 within the City of Lansing (Acquisition of property at 1516 N. High St.), reports as follows:

That said ordinance be passed.

Signed:

SIDNEY P. WORTHINGTON,
LUCILE BELEN,
WILLIAM A. BRENKE,
Committee on Physical Development.

By COUNCILMAN WORTHINGTON—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

## REPORTS OF CITY OFFICERS AND BOARDS

DATE: 10-9-81

TO: Lucile Belen, President, City Council

FROM: Bonnie G. Toskey, Assistant City Attorney

SUBJECT: Order Authorizing the Discontinuance and Vacation of Part of the Public Highways Known as Ionia and Ottawa Streets.

Please find attached a true copy of the Order signed by Judge Warren which vacates those parts of Ionia and Ottawa Streets which lie between the Grand Avenue and the Grand River. Further, please be advised that per this Order, the City Attorney's office has filed a certified copy of the Order with the Ingham County Register of Deeds and has served a true copy on both the State Treasurer of the State of Michigan and the State Highway Commissioner of the State of Michigan. In addition, true

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copies have been forwarded to the City Assessor's office, the Public Service Department, the Planning Department, and the Property Management Department. If I have overlooked any party, department or person who would have use for a copy of this order, please inform me.

BONNIE G. TOSKEY.

Received and placed on file.

DATE: October 9, 1981

TO: Council President Lucile Belen, Mayor Gerald Graves and City Clerk Theo Fulton

FROM: Edward J. Piloske, Principal Internal Auditor

SUBJECT: CETA Interim Monitoring Audit for the FY 1980-81 National Council on Alcoholism/Lansing Regional Area Inc., CETA Title II Subgrant.

In accordance with Section 3-402.3 of the City Charter, the Office of Internal Audit submits the following Interim Monitoring Audit report of the National Council on Alcoholism/Lansing Regional Area, Inc., FY 1980-81 CETA Title II Subgrant, the contract period being October 1, 1980 thru June 30, 1981.

A response from the agency and the City Controllers Office is requested pertaining to Schedule D and the Findings and Recommendations section of this report.

Received and placed on file.

October 6, 1981

The Honorable Mayor Gerald W. Graves

City Hall

City of Lansing, Michigan 48933

Dear Mayor Graves:

The Planning Department was directed by President Belen during the City Council meeting on Monday, October 5, 1981, to forward the attached amendment to the Citizen's District Council No. 3.

In accordance with Public Act 344, the Citizens' District Council has been notified of the proposed Amendment to the Neighborhood Development Area No. 3 Plan. The Amendment contains provisions for the acquisition and demolition of 1516 N. High St. due to the critical condition of the structure and high cost to rehabiiltate it.

The Citizens' District Council remains in agreement that the residential structure should be acquired and demolished. The CDC requests that you give this amendment immediate effect.

Sincerely,

LARRY L. PARKER,
Chairman,
Citizens' District Council No. 3

Referred to Committee on Physical Development.

October 8, 1981

Mayor Gerald W. Graves,

Council President Lucile Belen

and Members of the City Council

Dear Mayor Graves and
City Council Members:

We are forwarding to you a resolution approved by the Lansing Economic Development Corporation Board of Directors of action taken at a regular meeting held on October 7, 1981, approving the Resolution of Inducement, Designation of Project Area and Designation of Bond Counsel. Therefore, it will be necessary for you to appoint two (2) Temporary Directors to this project.

The applicant proposes to acquire land at Collins Road in Lansing, Michigan and construct a commercial building for use by Educational Subscription Service, Inc., as its headquarters. They contemplate that the project will result in the employment of additional people and will otherwise serve the public purposes set forth in Section 2 of the Act 338. They are requesting approximately One Million Six Hundred Thousand Dollards ($1,600,000) in EDC financing.

The Economic Development Corporation is in the process of developing a Project Plan to be presented to you at a future date.

Also, inasmuch as there is no residential area to be affected by the Project Plan, we believe that it is not necessary to establish a Project Citizens District Council.

Sincerely yours,

EMERSON B. OHL.
Executive Director.

Referred to Committee on Economic Development.

Chief of Police submits parade application for the United Nations Association for Friday, October 23, 1981.

By COUNCILMAN BRENKE—

That said request be approved and that all signatures required be obtained.

Carried.

DATE: 10/13/81

TO: City Council President and Members

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FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Director of Building Safety and Development. Re: Grass Cutting Assessment for December 1981 Tax Roll (L-20).

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

By COUNCILMAN LINDEMANN—

That we concur in the recommendation of the Mayor and said assessments be placed on the December tax roll.

Carried.

DATE: 10/13/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Director of Building Safety and Development. Re: Trash Removal Assessment for December 1981 Tax Roll (U-21).

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

By COUNCILMAN LINDEMANN—

That we concur in the recommendation of the Mayor and said assessments be placed on the December tax roll.

Carried.

DATE: 10/9/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Public Service Director. Re: Trash in R-O-W Removal Assessment for December 1981 Tax Roll (V-3).

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

By COUNCILMAN LINDEMANN—

That we concur in the recommendation of the Mayor and said assessments be placed on the December tax roll.

Carried.

DATE: 10/14/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Director of Building Safety and Development. Re: Correction to Hazardous Property Assessment—1981 Tax Roll (U-21).

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

By COUNCILMAN LINDEMANN—

That we concur in the recommendation of the Mayor and said corrections to tax roll U-21 be made.

Carried.

DATE: 10/14/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Director of Building Safety and Development. Re: Request for Public Hearing: 332 S. Logan Street; 1815 Olds Avenue; 1022 W. Washtenaw.

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on General Services.

DATE: 10/8/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Public Service Director. Re: Clippert Street Jurisdiction.

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Physical Development.

DATE: 10/15/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached cor-

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respondence from the Public Service Director. Re: Special Sidewalk Construction Assessment for December 1981 Tax Roll 284.

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

By COUNCILMAN LINDEMANN—

That we concur in the recommendation of the Mayor and said assessment be placed on the December 1981 tax roll.

Carried.

DATE: 10/15/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Planning Director. Re: Community Development Block Grant Needs Fiscal Year 1982-1983.

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Physical Development.

DATE: 10/15/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Mayor's Economic Development Advisory Group. Re: EDC request for certification of project area, designation of project district area, and determination of necessity for project citizens district council for Educational Subscription Service project.

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Economic Development.

DATE: 10/15/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Mayor's Economic Development Advisory Group. Re: Frandorson Properties request for establishment of Frandor Commercial Redevelopment District.

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Economic Development.

DATE: 10/15/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Mayor's Economic Development Advisory Group. Re: Perfection Fabrication, Inc., request for consent to transfer of employment.

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES.
Mayor.

Referred to Committee on Economic Development.

October 15, 1981

Council President Lucile Belen and

Members of the Lansing City Council

10th Floor, City Hall

Lansing, Michigan 48933

Dear Council President and Members:

Please be advised that the National League of Cities Annual Conference will be held November 29 - December 2, 1981, in Detroit, Michigan. Under the Bylaws of the National League of Cities, each direct member city is entitled to cast from one to twenty votes, depending upon the city's population, through its designated voting delegate at the Annual Business Session of the Congress of Cities (see attached table). This meeting will begin at approximately 10:30 a.m., Wednesday, December 2, 1981, at Cobo Hall, Detroit, Michigan.

To be eligible to cast the city's vote, each voting delegate and alternate voting delegate must be designated by the city on the enclosed form and the form forwarded to NLC's Credentials Committee. NLC's Bylaws expressly prohibit voting by proxy. Thus, an official of the city, properly designated, must be present at the Annual Business Session to cast the city's vote or votes.

To assist the Michigan Municipal League in selecting delegates to cast the League vote, an extra copy of the credential form

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is attached, with a request that same be forwarded to the League.

Sincerely,

GERALD W. GRAVES,
Mayor.

Referred to Committee of the Whole.

## RESOLUTIONS

By COUNCILMAN WORTHINGTON—

Resolved by the City Council of the City of Lansing:

Whereas, the Lansing School District has proposed the sale of a 6.008 acre site on Glenburne Avenue west of Seaway Drive which was originally reserved for an elementary school; and

Whereas, the Lansing School Board has approved this sale; and

Whereas, School District information indicates that unused capacity at schools nearby will accommodate any additional children that would come from new housing in the area; and

Whereas, the Planning Board has reviewed this proposal in accordance with Act 285 P.A. 1981, and has concurred with the School Board position to sell this parcel, adding the following provisions:

(1) That the Board of Water and Light easement of 5 feet and 8 feet being reserved along the side and rear lot lines respectively;

(2) That Consumers Power retain a 10 foot easement as requested; and

(3) That the property retain its present zoning of "C" two-family and "DM" Multiple Family Districts, and any uses be subject to the provisions of the relevant zoning districts; and

Whereas, the Council Committee on Physical Development has reviewed the Planning Board's decision to concur with the School Board and concurs therewith;

Now, Therefore, Be It Resolved, that the Lansing City Council concurs with the School Board proposal to sell the parcel known as the future Glenburne School site.

Adopted by the following vote:

Unanimously.

By COUNCILMAN WORTHINGTON—

Resolved by the City Council of the City of Lansing:

Whereas, the City of Lansing Property Manager has requested an Act 285 review to determine if an unused portion of the right-of-way of Herrick Drive should be disposed of; and

Whereas, the Planning Department has performed the Act 285 review as requested and determined that the land in question is better suited as lawn area for adjacent residential uses, as it is now used; and

Whereas, no logical purpose is served by retaining these properties as right-of-way; and

Whereas, the Council Committee on Physical Development has reviewed and agreed with the Planning Board's decision;

Now, Therefore, Be It Resolved, that those portions of the right-of-way of Herrick Street be attached to the properties adjacent as follows:

(a) To 3300 Pleasant Grove Road, known as: Lot 352 Pleasant Grove, Subd. No. 1, a right-of-way portion to make this lot eighty (80) feet by one hundred seventy (170) feet.

(b) To 2206 Herrick Drive, known as: Lot 351 E. com. 30 ft. E. of SW Cor Lot 351, th NEly, E. and SEly along Sly line Lot 351 to SE Cor Lot 351, W. to beg; Pleasant Grove Subd. No. 1. A right-of-way portion to make this lot eighty (80) feet by one hundred seventy (170) feet.

Be It Further Resolved, that the Mayor, City Clerk, and the City Assessor be authorized to execute the required documents for the vacation and transfer, and to record the action with the appropriate State agencies.

Adopted by the following vote:

Unanimously.

By COUNCILMAN WORTHINGTON—

Resolved by the City Council of the City of Lansing:

ACT-32-81
Vacate Parkland

Whereas Mr. K. Holmes of 2116 Byrnes Road has been using a portion of designated parkland in Sunset Hills Park as an access to his garage for over thirteen (13) years; and

Whereas the portion of parkland used as an access does not serve to support active recreational opportunities to area residents; and

Whereas the City property manager has recommended that the City vacate and convey that portion of parkland described as follows:

A strip of City-owned parkland commencing on the southwest corner of the plat of Sunset Hills Number 10, being 60.49 feet more or less south of the south-

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west corner of Lot 284 of Sunset Hills Number 10, then easterly on the south line of the plat 85 feet, then north 30 feet, then west 85 feet more or less to the edge of the plat, then south on the plat line 30 feet to the point of beginning, all in Sunset Hills Number 10, Section 6, T4N, R2W, City of Lansing, Ingham County, Michigan.

Whereas the Planning Board reviewed under Act 285 of Michigan Acts of 1931, the impact of the vacation and conveyance and recommended that it be supported; and

Whereas the Committee on Physical Development of City Council concurs with the recommendation of the Planning Board;

Now, Therefore, Be It Resolved that the recommendation to vacate the property described above be approved and conveyed to the owners at 2116 Byrnes Road, in accordance with state laws.

Adopted by the following vote:

Unanimously.

By ECONOMIC DEVELOPMENT COMMITTEE—

Resolved by the City Council of the City of Lansing:

Whereas it is necessary to hold a public hearing on the proposed establishment of a Lansing Commercial Redevelopment District, CRD-10-81, Frandor Shopping Center, requested by Frandorson Properties, more particularly described as:

That part of the West ½ of the East ½ of the Northeast ¼ and the West ½ of the East ½ of the East ½ of Northeast ¼ of Section 14, T4N, R2W, City of Lansing, Ingham County, Michigan, commencing at the Northeast corner of said Section 14, thence N89°42'W 327.6 feet on the section line; thence S0°15'W 67.47 feet to the point of beginning on the Southerly right of way line of Saginaw Street; thence along said right of way N81°47W 153.98 feet and N89°31'W 828.83 feet to the centerline of Clippert Street; thence on the centerline of Clippert Street S0°17"W 1689.22 feet to a point 850.0 feet North of the North line of Michigan Avenue extended East, thence S89°50'E 981.8 feet parallel with Michigan Avenue to the West line of East ¼ of East ½ of Northeast ¼ of said Section 14; thence N0°15"E 1663.0 feet to the point of beginning, also a driveway easement 70 feet in width line on the West side of East property line as projected South and extending from South property line Southerly 850 feet to Michigan Avenue, also subject to the rights of way of record.

Now, Therefore Be It Resolved that the City Clerk give at least ten (10) days notice of a public hearing when all persons interested may attend and make any objections they may have to such proposed district; and

Be It Further Resolved that such hearing be held at the Council Chambers in the City Hall on the 9th day of November, 1981, at 7:00 p.m., and that notice of such hearing be published in a publication of general circulation in said city.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON WAYS & MEANS—

Resolved by the City Council of the City of Lansing:

Whereas, the Mayor has taken a variety of administrative actions to cope with the City's fiscal problems resulting from revenue levels below expectations; and

Whereas, the Mayor has implemented a moratorium on hiring and purchases of equipment within his administration, and has requested the City Council to do the same for operations within the City Council office, the Internal Audit Division, the City Clerk's Office, and the 54-A District Court;

Now, Therefore, Be It Resolved, the Lansing City Council hereby declares a moratorium on the filling of vacant positions and the purchase of all equipment within the City Council office, the Internal Audit Division, the City Clerk's Office, and the 54-A District Court until further notice; and

Be It Further Resolved, the Committee on Ways and Means shall act as the Council's Moratorium Committee, and is charged with the responsibility to review all requests to fill vacant positions and purchase equipment in the above-named agencies; and

Be It Finally Resolved, the criteria for decisions on these matters shall parallel the guidelines established for use by the Administration's Moratorium Committee, with justifications to be presented by the requestor to the Committee on Ways and Means either in writing or verbally at regular committee meetings.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON WAYS & MEANS—

Resolved by the City Council of the City of Lansing:

Whereas, the low penalty interest rate set by State Government on delinquent taxes has encouraged property owners to ignore tax bill due dates while they use their tax money to earn much higher money market interest; and

Whereas, this situation is, in effect, the borrowing of money from local governments and school districts at considerably lower rates than can be found elsewhere; and

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Whereas, the Michigan House Tax Committee has reported out HB 5048, which raised the interest rate on delinquent tax to 1.5 percent per month, and raised the ceiling on county delinquent tax revolving fund notes to 16 percent; and

Whereas, local governmental taxing units benefit from the county delinquent tax revolving fund by improved cash flow and reduced administrative costs; and

Whereas, by increasing the interest penalty on tax delinquencies, this legislation encourages the on-time payment of taxes, on which the City of Lansing relies for a stable cash flow;

Now, Therefore, Be It Resolved the Lansing City Council hereby enthusiastically supports the passage of Michigan House Bill 5048, and requests the support of Lansing-area legislators on this issue.

By COUNCILMAN BLAIR—

That the resolution be amended as follows:

That in the first paragraph insert the word "corporate" before the word "property."

Carried.

The resoluiton as amended was adopted by the following vote:

Unanimously.

By COMMITTEE OF THE WHOLE—

Resolved by the City Council of the City of Lansing:

Whereas, Lois Tomlinson's first term of service on the Elected Officers Compensation Commission has expired; and

Whereas, her contribution to this citizen board has been exemplary; and

Whereas, she has come before the Council's Committee of the Whole to respond to any questions;

Now, Therefore, Be It Resolved, the City Council of the City of Lansing hereby approves and confirms the re-appoinment of Lois Tomlinson to the Elected Officers Compensation Commission for a term to expire October 1st, 1988.

Adopted by the following vote:

Yeas: Councilmen Adado, Belen, Brenke, Gunther, Lindemann, McKane, Worthington—7.

Nay: Councilman Blair——1.

By COMMITTEE OF THE WHOLE—

Resolved by the City Council of the City of Lansing:

Whereas, the bargaining teams for the 54-A District Court and the Teamsters Local 580 have negotiated a mutually agreeable contract; and

Whereas, the completed contract was presented to the Committee of hte Whole for consideration on October 15th, 1981;

Now, Therefore, Be It Resolved, the City of Lansing hereby approves the negotiated labor contract between the 54-A District Court and the Teamsters Local 580.

Adopted by the following vote:

Unanimously.

By COMMITTEE OF THE WHOLE—

Resolved by the City Council of the City of Lansing:

Whereas, the Physical Development Committee is hereby discharged; and

Whereas, it is deemed desirable to amend the classification provided for in the Zoning Code of the City of Lansing, passed on the 13th day of November, 1958, in the following particulars, viz:

That property described as:

SUP-17-78—S.W. corner of Coleman Road and Wood Street

(to allow for operation of a Sanitary Landfill on this property)

Therefore, Be It Resolved that the City Clerk shall give not less than 5 and not more than 15 days notice of a public hearing when all persons interested may attend and make any objections they may have to such proposed changes in said special use permit; and

Resolved Further, that such hearing shall be held at the Council Chamber in the City Hall on the 16th day of November, 1981, at 7:00 o'clock p.m., and that notice of such hearing be published in the official publication of said city, as required by law.

Adopted by the following vote:

Unanimously.

By COMMITTEE OF THE WHOLE—

Resolved by the City Council of the City of Lansing:

Whereas, the Physical Development Committee is hereby discharged; and

Whereas, it is deemed desirable to amend the classification provided for in the Zoning

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Code of the City of Lansing, passed on the 13th day of November, 1958, in the following particulars, viz:

That property described as:

Z-46-78 — S.W. corner of Coleman Road and Wood Street,

be rezoned from "A" One Family Residence District to "I" Heavy Industrial District and the "Map" be changed to indicate such transfer;

Therefore, Be It Resolved, that the City Clerk shall give not less than fifteen days notice of a public hearing when all persons interested may attend and make any objections they may have to such proposed changes in said Zoning Code.

Resolved Further, that such hearing shall be held at the Council Chamber in the City Hall on the 16th day of November, 1981, at 7:00 o'clock p.m., and that notice of such hearing be published in the official publication of said city, as required by law.

Adopted by the following vote:

Unanimously.

By COMMITTEE OF THE WHOLE—

Resolved by the City Council of the City of Lansing:

Whereas, the Committees of Public Property and Safety and Physical Development have issued a joint report recommending the sale of the Paulson and Coleman Road properties to Granger Land Development Company; and

Whereas, the proposed sale appears advantageous to the City of Lansing; Now, Therefore,

Be It Hereby Resolved that the joint report of the Committee on Public Property and Safety and the Committee on Physical Development recommending the sale of the Coleman Road and Paulson properties on terms substantially the same as the agreements attached hereto is approved and adopted and

Be It Further Resolved that the proposed agreements attached hereto shall be placed on file in the office of the City Clerk for thirty days as required by City Ordinance 539; and

Be It Further Resolved that a statement detailing the lack of necessity of said lands for public purposes shall be filed in the office of the City Clerk for thirty days; and

Be It Further Resolved that a public hearing on the proposed disposition of the Coleman Road and Paulson properties shall be held before the Lansing City Council in its Chambers on the 10th Floor of Lansing City Hall at its regular meeting at 7:00 p.m. on Monday, November 23, 1981; and

Be It Finally Resolved that the City Clerk shall cause a notice of said hearing to be published in a newspaper of general circulation in the City of Lansing no later than ten days prior to said hearing.

Adopted by the following vote:

Unanimously.

Councilman Blair left the session.

By WAYS AND MEANS COMMITTEE—

Resolved by the City Council of the City of Lansing:

That the following transfer be approved:

$8,927.00 from Estimated Revenues
A/C 585-000-000-160

$3,120.00 to Wages—Hourly
A/C 585-570-428-706

2,400.00 to Wages—Temp. Help
A/C 585-570-428-707

1,330.00 to Fringe Benefits
A/C 585-570-428-715

252.00 to Supplies
A/C 585-570-428-740

100.00 to Utilities
A/C 585-570-428-920

1,300.00 to Admin. Charge
A/C 585-536-000-802

200.00 to Supplies
A/C 585-570-437-740

225.00 to Utiliites
A/C 585-570-437-920

I hereby certify that this is a properly drawn and eligible transfer.

JAMES W. DOWSETT,
Finance Director.

Approved:

TERRY J. McKANE,
JACK D. GUNTHER,
WILLIAM A. BRENKE,
Ways and Means Committee.

Adopted by the following vote:

Unanimously.

## ORDINANCES

By COUNCILMAN WORTHINGTON—

The Committee reported that it had considered an ordinance providing, that the Code of Ordinances, City of Lansing, Michigan, be amended by adding a new section to be numbered Section 36-116.12 to provide for an amendment to the amended Physical

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Development Plan NDA No. 3 within the City of Lansing (Acquisition of property at 1516 N. High Street); and recommended that the ordinance be passed.

Carried.

**ORDINANCE NO. 608**

By COUNCILMAN WORTHINGTON—

Resolved by the City Council of the City of Lansing, that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by adding a new Section to be numbered Section 36-116.12 to provide for an amendment to the amended Physical Development Plan NDA No. 3 within the City of Lansing (acquisition of property at 1516 N. High Street) be placed on order of immediate passage.

By COUNCILMAN WORTHINGTON—

Resolved by the City Council of the City of Lansing, that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan be amended by adding a new Section to be numbered Section 36-116.12 to provide for an amendment to the amended Physical Development Plan NDA No. 3 within the City of Lansing (Acquisition of property at 1516 N. High Street) be now passed.

Adopted by the following vote:

Unanimously.

**ORDINANCE NO. 608**

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, PROVIDING THAT CHAPTER 36, ARTICLE XIV OF THE CODE OF ORDINANCES, CITY OF LANSING, MICHIGAN, BE AMENDED BY ADDING A NEW SECTION TO BE NUMBERED 36-116.12 TO PROVIDE FOR AN AMENDMENT TO THE AMENDED PHYSICAL DEVELOPMENT PLAN FOR NEIGHBORHOOD DEVELOPMENT AREA NO. 3 WITHIN THE CITY OF LANSING.

The City of Lansing Ordains:

Section 1. That Chapter 36, Article XIV of the City of Lansing, Michigan be amended by adding a new section to be numbered 36-116.12 to read as follows:

Section 36-116.12. Amendment to the plan established.

The Physical Development Plan referred to in Section 36-116 is hereby modified by incorporating the following into the ordinance pursuant to Section 36-121.

The inclusion of one structure in the acquisition program under the section "Physical Condition." The structure is located at 1516 North High Street.

The deletion of this structure from the Housing Rehabilitation list.

The modification of maps to reflect the changes detailed above.

Disposition of this property will be in accordance with the land disposition policy contained in the physical Development Plan for NDA No. 3.

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance shall take effect thirty (30) days from its passage unless given immediate effect by the City Council.

By COUNCILMAN WORTHINGTON—

Resolved by the City Council of the City of Lansing:

This ordinance being necessary for the immediate preservation for the public peace, health or safety shall take effect upon its passage.

Carried.

**REMARKS BY THE MAYOR OR HIS EXECUTIVE ASSISTANT**

No comments.

**REMARKS BY THE CITY COUNCIL — SUSPENSION OF RULES**

By COUNCILMAN ADADO—

Resolved by the City Council of the City of Lansing:

That the rules of the Council be waived for the purpose of presenting items that are not listed on the agenda.

Carried.

Councilman Blair returned to the session.

By COUNCILMEN TERRY J. McKANE and WILLIAM A. BRENKE—

Resolved by the City Council of the City of Lansing:

That the following transfer be approved:

$8,600.00 from Reserve for Contingency
A/C 101-941-000-963

$8,600.00 to Riverfront Salmon Development
A/C 101-936-802-971

I hereby certify that this is a properly drawn and eligible transfer.

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JAMES W. DOWSETT,
Finance Director.

Adopted by the following vote:

Unanimously.

By COUNCILMAN WORTHINGTON—

Resolved by the City Council of the City of Lansing:

That the public hearing that was scheduled for October 26, 1981 on the amendment to the Physical Development Plan for NDA No. 4 be cancelled and that this be referred back to the Committee on Physical Development.

Carried.

Councilman Blair spoke relative resolution passed on Sept. 28, 1981, page 631, relative traffic signs on Cambrey at Meadowbrook. Asked Public Properties and Safety Committee to check this.

Priscilla Holmes, 220 Reo Ave., spoke relative City Hall Annex doors being locked when Citizens District Council boards come to meetings.

Beatrice Shetterly spoke.

Christine Ryal spoke.

By COUNCILMAN BELEN—

That this meeting stand adjourned.

Carried.

Council adjourned at 8:00 P.M.

THEO FULTON,
City Clerk.

Lansing, Michigan

October 19, 1981

F/B

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CITY CLERK'S OFFICE
Room 921, City Hall
Lansing, Michigan 48933

Address Correction Requested

BULK RATE
U. S. POSTAGE
PAID
Permit No. 1461
Lansing, Michigan



# OFFICIAL PROCEEDINGS OF THE CITY COUNCIL OF THE CITY OF LANSING

## Proceedings, October 26, 1981

CITY COUNCIL ROOMS

Lansing, Michigan

October 26, 1981

The City Council of the City of Lansing, Michigan, met in regular session and was called to order by President Belen.

Present: Councilmen Adado, Belen, Blair, Brenke, Gunther, Lindemann, McKane, Worthington—8.

Absent: None.

The Clerk announced that a quorum of the Council was present.

Invocation was given by Councilman Adado.

Pledge of Allegiance was led by Councilman Adado.

By COUNCILMAN McKANE—

That the Council Proceedings of October 5, 1981, be approved.

Carried.

PUBLIC HEARINGS

October 26, 1981, at 7:00 o'clock being the time set as the time for holding a public hearing on the proposed establishment of a Lansing Commercial Redevelopment District for:

Eyde Construction Company
5015 S. Cedar Street.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed district they had the privilege of speaking at this time.

Referred to Committee on Economic Development.

October 26, 1981, at 7:00 o'clock being the time set as the time for holding a public hearing on the proposed establishment of a Lansing Commercial Redevelopment District for:

Eyde Construction Company

South side of Holmes Road between Washington Avenue and Logan Street.

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The Council President announced that if there was anyone present who had any suggestiosn or objections to make to the proposed district they had the privilege of speaking at this time.

Referred to Committee on Economic Development.

**THE PUBLIC MAY NOW ADDRESS THE CITY COUNCIL ON ANY OF THE FOLLOWING ITEMS LISTED ON THE AGENDA: COMMUNICATIONS AND PETITIONS, COMMITTEE REPORTS, REPORTS OF CITY OFFICERS AND BOARDS AND RESOLUTIONS. YOU MAY SPEAK ONLY FOR 3 MINUTES ON ANY ONE ITEM.**

Diena M. Huebner, 4302 Stabler St., spoke on communications No. 5 on the reopening of Lowcroft St. due to traffic condition that exists on Stafford St.

## COMMUNICATIONS AND PETITIONS

The following applications and bonds have been filed for licenses:

PEDDLER—

Windsor Sales, Mary Jo Olesen.

SIGN ERECTOR—

A.B.C. Sign Co.

PUBLIC DRIVER—

Victor Samuel Steinman.

Referred to Committee on General Services.

Claims filed by:

Bruce Block for damage to his automobile wheel due to hitting a deep hole in the street.

Mary Booth of the Tri-County Office on Aging for representitng a CETA Employee for injuries sustained due to fall at the Civic Center.

John McKissie on behalf of his son for services rendered by Lansing Mercy Ambulance Service, Inc.

Ralph W. Sims for damage to the fence at the back of his property that abutts the Attwood Park; damage was done by mowing machine.

Mrs. William Limber for damage to basement and articles in basement due to the last rain storm.

Referred to Mayor, City Attorney.

Petition filed for rezoning:

Z-36-81—

Lots 59 and 60 of Metlin- Addition, City of Lansing, Ingham County, Michigan, from "C" Two Family Residential District to "J" Parking District—(1106 East Oakland Avenue).

Referred to Mayor, Planning Board.

Petition filed requesting the waiver of sidewalk installation on Ridgefield St.

Referred to Mayor, Committee on Physical Development and Planning Department.

Petition filed for the reopening of Lowcroft St. between Cavanaugh Rd. and Pierce Rd. to eliminate the traffic conditions on Stafford, Graham and Stabler Streets.

Referred to Mayor, Traffic Board, Committee on Public Property and Safety.

Letter from Horace J. Bradshaw requesting that consideration be given to amending Section 14-76 of the code to permit burning of leaves during period of October 15 to November 15, 1981.

Referred to Committee on Economic Development and Mayor.

Letter from Lansing Fire Fighters encouraging the development of a river safety program.

Referred to Mayor, Committee on Public Property and Safety.

Letter from Arthur Blangenburg asking for a favorable decision of an increase for pension.

Referred to Mayor, Retirement Board.

State of Michigan, Public Service Commission submits application of Michigan Bell Telephone Company for authority to revise its tariff M.P.S.C. No. 1 as it pertains to local Telephone Exchange Service to provide for the offering of 1-party residence measured (timed) service.

Received and placed on file.

## MAYOR COMMENTS ON ANY ITEM ON THE AGENDA

Mayor Graves spoke relative political campaign brochures which is attached and on file in City Clerk's office. This is also in reference with the first of his letters on the agenda.

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## REPORTS OF COMMITTEES

The COMMITTEE ON GENERAL SERVICES approves the following applications and bonds for licenses:

PEDDLER—

Windsor Sales, Mary Jo Olesen.

SIGN ERECTOR—

A.B.C Sign Co.

PUBLIC DRIVER—

Victor Samuel Steinman.

Signed:

WILLIAM A. BRENKE,
TERRY J. McKANE,
Committee on General Services.

By COUNCILMAN BRENKE—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

The COMMITTEE ON GENERAL SERVICES, to whom was referred the letter from Paul Hamilton requesting permission to play music, as a licensed street musician inside the City Market during the winter months, reports as follows:

Space inside the City Market is rented to independent merchants. If Mr. Hamilton is willing to rent a stall at current market rates, he is entitled to do so. His other options include walking through the market without using a particular location, or else playing music outside the building; otherwise, the request is denied.

Signed:

WILLIAM A. BRENKE,
PAT LINDEMANN,
TERRY J. McKANE,
Committee on General Services.

By COUNCILMAN BRENKE—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

## REPORTS OF CITY OFFICERS AND BOARDS

Letter from the City Attorney in regard to claim of Lewis C. Wright was referred to the Committee on General Services for further information.

October 16, 1981

To the Honorable President Lucile Belen and Members of the Lansing City Council

Re: Claim of Marjorie Blincoe Waterman in the amount of $225.00

Dear President Belen and Members of Council:

This claimant requests the repair or replacement of a marker placed on her former husband's grave at Evergreen Cemetery which was damaged by a lawnmower during routine lawn maintenance in the Fall of 1980. Information provided by Yunker Memorials, Inc., indicates that the marker in question is damaged beyond repair and a replacement marker would cost $225.

MCLA 691.1405, MSA 3.996 (105) provides that a governmental agency is liable for property damage resulting from he negligent operation by an employee of the governmental agency of a vehicle of which the governmental agency is the owner. In this case, the lawnmower was owned by the City of Lansing, was being operated by a City employee, and from all indications was bein goperated in a negligent manner on the date in question.

Therefore, based on the foregoing statute and the apparent negligence of a City of Lansing employee in operating the lawnmower in question, it is the recommendation of this office that this claim in the amount of $225 be allowed.

Respectfully submitted,

STEPHEN R. SAWYER,
City Attorney.

By COUNCILMAN ADADO—

That we concur in the recommendation of the City Attorney and the City Clerk be and she is hereby directed to draw a warrant on the City Treasurer in the amount of $225.00 payable to Marjorie Blincoe Waterman.

Carried.

October 21, 1981

President Lucile Belen and Members of City Council

Re: Claim of Arlene and Douglas Hunter in the amount of $56.06

Dear President Belen and Members of City Council:

Arlene and Douglas Hunter have submitted this claim for damage done to a 6 foot evergreen, which was located next to a family marker at the Mt. Hope Cemetery.

According to Jim Pecora, Acting Cemetery Manager, cemetery employees were,

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at approximately the same time as the tree was discovered to be damaged, driving a ruck in the vicinity of the damaged tree which had similar tire tracks as those discovered next to the tree. It is impossible, however, to determine exactly if or which City employee may have been involved as many of the cemetery employees then working are no longer with the City.

The City's liability in this case is thus based upon circumstantial evidence. Circumstantially, however, it does appear that the City truck may have negligently damaged the tree. For this reason, this office has entered into negotiation with Mr. and Mrs. Hunter. They have tentatively agreed to settle this claim in the amount of $30.00.

It is the recommendation of this office that this settlement be approved.

Respectfully submitted,

STEPHEN R. SAWYER,
City Attorney.

By COUNCILMAN ADADO—

That we concur in the recommendation of the City Attorney and the City Clerk be and she is hereby directed to draw a warrant on the City Treasurer in the amount of $30.00 payable to Arlene and/or Douglas Hunter.

Carried.

October 21, 1981

President Lucile Belen and
Members of the City Council

Re: Claim of Barbara A. Williams in the amount of $250.00

Dear President Belen and Members of City Council:

This claimant requests reimbursement in the amount of $250.00 for items taken from her when arrested by the Lansing Police Department on February 17, 1980, and subsequently destroyed. The items destroyed were contained in a make up case and included lipstick, mascara, two pairs of gloves, a compact, pair of glasses, a comb, brush and a contact lens case which allegedly contained contact lenses. This claimant estimates the value at $250.00.

Lansing Police Department records indicate that this claimant was one of three females arrested on February 17, 1980, as a suspect in a check forgery scheme at American Bank & Trust. The charges against this claimant was eventually dismissed. With the exception of the contact lenses, all of the items at issue in this claim were considered by the Lansing Police Department as principles in the crime since the property was used for disguise purposes. Property of that nature is not returnable to the owner and is destroyed at the conclusion of the related court case. That procedure was followed in this instance. Both a clerk and a technician assigned to the Quartermaster Section of the Lansing Police Department indicate that they personally examined the contact lens holder in qquestion, discovered it was empty, and destroyed that holder along with the other items in qquestion.

MCLA 691.1407; MSA 3.996 (107) immunizes municipalities from tort liability when the municipality is engaged in the exercise or discharge of a governmental function. The term "governmental function" has been limited in scope by court decisions to include only those activities which can be effectively accomplished by government. See **Parker v Highland Park**, 404 Mich 187; 273 NW2d 403 (1978). It is clear, that the functions of a police department, including the custody and subsequent disposal of property of this nature, constitutes a governmental function and would fall within the purview of the aforementioned statute. It therefore follows that the City of Lansing would be immune from liability even if facts were presented which would constitute negligent action on the part of the Police Department. In this instance, no such facts are presented and it would appear that the contact lenses, the only item of significant value, were not contained in the contact lens holder in question.

Applying the aforementioned statute to the circumstances presented by this claim, it is the recommendation of this office that this claim be denied.

Respectfully submitted,

STEPHEN R. SAWYER,
City Attorney.

By COUNCILMAN ADADO—

That we concur in the recommendation of the City Attorney and said claim be denied.

Adopted by the following vote:

Yeas: Councilmen Adado, Belen, Brenke, Gunther, Lindemann, McKane, Worthington—7.

Nays: Councilman Blair—1.

October 19, 1981

Honorable Mayor Gerald W. Graves

City Hall

City of Lansing, Michigan 48933

Dear Mayor Graves:

For the past several years the Citizens' District Council No. 3 has been monitoring the progress of the David Street Extension project. On many occasions we have been called upon to make recommendations on various phases of planning and implementation.

At our September meeting we received an

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update report on construction of the new portion of street. At that time members expressed concern over the name of the new section. As you are well aware, there currently exists a great deal of confusion over streets in this area. Motorists frequently get lost when Lake Lansing Road turns into East High Street which then intersects North High Street. CDC No. 3 members are concerned that the confusion will be further exaggerated if the new section of street is called David Street which then turns into Douglas west of Larch.

After lengthy discussion CDC members agreed unanimously that the new section of s reet should be called Lake Lansing Road and that the existing street now called East High should be renamed Lake Lansing Road. This would make travel from East Lansing to Larch/US 27 more congruous as motorists would be travelling one continuously named road. This recommendation was made with the knowledge of the possible rerouting of Lake Lansing in the future. Members felt that any future consideration for the naming of rerouted Lake Lansing could be made when and if that project is completed.

Please review our recommendation and forward to City Council for their action.

Sincerely,

LARRY L. PARKER,
Chairman CDC No. 3.

Referred to Committee on Physical Development.

October 19, 1981

Council President Lucile Belen and
Members of the Lansing City Council

10th Floor, City Hall

Lansing, Michigan 48933

Dear Council President and Members:

This office has been recently advised by Robert Shong, a member of the Public Service Board, that he finds it necessary to resign. Therefore, I am submitting to you, for your consideration and confirmation, the name of Eugene N. Russell to fill said vacancy, which term expires in June of 1983.

Mr. Russell is currently a Professor of Civil Technology at Lansing Community College and resides at 1723 S. Holly Way in the City of Lansing.

Trusting this recommendation meets with your approval, I remain

Sincerely,

GERALD W. GRAVES,
Mayor.

Referred to Committee on Physical Development.

DATE: 10/20/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Soncurrence with attached correspondence from the City Controller Re: Financial Security—Keep Meadows Subdivision request to release $13,200.00 in financial security

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

By COUNCILMAN McKANE—

That we concur in the recommendation of the Mayor and said financial security be released on the plat of Keep Meadows Subd.

Carried.

DATE: 10/21/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Submission of attached correspondence from the Transportation Engineer Re: Removal of the traffic signal at US-27 and Thomas Street

The attached correspondence is submitted for your information. A follow-up report will be forthcoming.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Public Property and Safety.

DATE: 10/22/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Safety/Security/Parking Director of St. Lawrence Hospital Re: Request to permit parking on streets surrounding St. Lawrence Hospital and lifting of parking fees at metered lot at corner of Saginaw and Westmoreland for November 18, 1981.

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Public Property and Safety.

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October 22, 1981

Council President Lucile Belen and
Members of the Lansing City Council

10th Floor, City Hall

Lansing, Michigan 48933

Dear Council President and Members:

For your consideration and confirmation, I am submitting to you the names of Thomas Papiernik, Sr., and George Hess to serve as Temporary Directors on the Educational Subscription Service Economic Development Corporation project.

These two individuals are currently serving as Temporary Directors on other EDC projects.

Trusting this recommendation meets with your approval, I remain

Sincerely,

GERALD W. GRAVES,
Mayor.

Referred to Committee on Economic Development.

DATE: 10/22/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Planning Department Re: Z-26-81—406 Fenton

Z-30-81—3300 Brisbane

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Physical Development.

DATE: 10/22/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Planning Department Re: SUP-7-81—3000 Block of Ruth Avenue (east side)

SUP-9-81—Frandor Shopping Center

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Physical Development.

DATE: 10/22/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Planning Department

Re: ACT-49-81—Moores Park and Britten Street

ACT-50-81—Wilson Street—ROW Title Disposition

ACT-48-81—800 Block of W. Cavanaugh Road

ACT-47-81—Vacate Alley between Teel Avenue and South Washington Avenue

ACT-37-81—1556 Roosevelt Avenue

ACT-37-81—Tranter Street

ACT-26-81—1416 Sunset Avenue

ACT-42-81—City to obtain property titles to portions of six righ-of-ways

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Physical Development.

DATE: 10/22/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Planning Department

Re: ACT-54-81—285 Review of Motor Wheel Internal Street Vacations

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Physical Development.

DATE: 10/22/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Planning Department

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Re: Community Development Project Activities Close-out First and Second Year

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Physical Development.

DATE: 10/22/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Traffic Engineer

Re: Request to allow parking on south side of S. Genesee Drive between Verlinden and Memphis Street

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Public Property and Safety.

DATE: 10/22/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Traffic Engineer
Re: Request to change parking restrictions on north side of Ottawa Street between Chestnut and Pine Streets

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Public Property and Safety.

## RESOLUTIONS—

By COUNCILMAN BLAIR—

That the Council recess for a period of 10-minutes.

Carried.

Council recessed at 8:15 p.m. and reconvened at 8:25 p.m.

By COMMITTEE ON GENERAL SERVICES—

Resolved by the City Council of the City of Lansing:

Whereas, the Lansing Director of the Department of Building Safety and Development determined that the building located at 1306 East Michigan Avenue legally described as:

Lot 8, Assessor's Plat No. 17
3301-15-401-341-0

was an unsafe or dangerous building as defined in Section 9A-13 of the Lansing Uniform Housing Code and the Housing Law of Michigan; and

Whereas, a hearing was held by the Hearing Board on April 16, 1981, at which Hearing Officers determined that said building was an unsafe or dangerous building and ordered the building demolished or otherwise made safe; and

Whereas, said Hearing Officers filed a report of their findings and order with the Lansing City Council, and have requested the City Council to take appropriate action under the Housing Code and the Housing Law of Michigan; and

Whereas, the City Council scheduled a hearing on September 21, 1981, to review the findings and order of the Hearing Officers, and the owners were notified in writing of said hearing and had an opportunity to appear and show cause why said building should not be demolished or otherwise made safe;

Now, Therefore, Be It Resolved that the City Council of the City of Lansing hereby approves the order of the Hearing Officers requiring the demolition or making safe of said building; and

Be It Further Resolved, that the owners are hereby directed to comply with the order of the Hearing Officers to demolish or otherwise make safe the said building within twenty (20) days from the date of this resolution; and

Be It Further Resolved, that, should the owner fail to substantially comply with the Hearing Officer's order for demolition or otherwise make safe, the Director of the Department of Building Safety and Development is hereby directed to proceed with demolition of said building; and

Be It Further Resolved, that the cost of such demolition shall be a lien against the real property and shall be reported to the City Assessor who shall assess the same against the property upon which the building is presently located; and

Be It Further Resolved, that the owner in whose name the property appears upon the last local tax assessment record shall be notified of the amount of such cost by first class mail at the address shown on the records. Upon his failure to pay the same within thirty (30) days after mailing

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by the City Assessor of the notice of the amount thereof, the Assessor shall add the same to the next tax roll of the City of Lansing and the same shall be collected in the same manner in all respects as provided by law for the collection of taxes in the City of Lansing.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON GENERAL SERVICES—

Resolved by the City Council of the City of Lansing:

Whereas, at a hearing held September 17, 1981, the Demolition Hearing Officer determined that a vacant and condemned one-family dwelling located at 332 South Logan Street was unsafe and dangerous and had to be made safe for occupancy or demolished by October 5, 1981; and

Whereas, the property owner did not appear at the hearing and has not complied with the orders of the Hearing Officer;

Now, Therefore, Be It Resolved, the Lansing City Council hereby schedules a public hearing for Monday, November 9, 1981, at 7:00 p.m., in the 10th floor Chamber of City Hall, on the proposed order to demolish or make safe this structure.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON GENERAL SERVICES—

Resolved by the City Council of the City of Lansing:

Whereas, at a hearing held September 17, 1981, the Demolitions Hearing Officer determined that a vacant and condemned one-family dwelling located at 1815 Olds Avenue was an unsafe and dangerous building and had to be made safe for occupancy or demolished by October 5, 1981; and

Whereas, the property owner did not appear at the hearing and has not complied with the orders of the Hearing Officer;

Now, Therefore, Be It Resolved, the Lansing City Council hereby schedules a public hearing for Monday, November 9, 1981, at 7:00 p.m., in the 10th floor Chambers of City Hall, on the proposed order to demolish or make safe this structure.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON GENERAL SERVICES—

Resolved by the City Council of the City of Lansing:

Whereas, at a hearing held September 17, 1981, the Demolitions Hearing Officer determined that a vacant and condemned two-family dwelling located at 1022 West Washtenaw Street was unsafe and dangerous, and had to be made safe for occupancy or demolished by October 5, 1981; and

Whereas, the property owner did appear at the hearing but has not complied with the orders of the Hearing Officer.

Now, Therefore, Be It Resolved, the Lansing City Council hereby schedules a public hearing for Monday, November 9, 1981, at 7:00 p.m., in the 10th floor Chambers on the proposed order to demolish or make safe this structure.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PHYSICAL DEVELOPMENT—

Resolved by the City Council of the City of Lansing:

Whereas, Clippert Street between Grand River Avenue (Westbound M-43) and Fairway Court, approximately 687 feet in length is presently under the jurisdiction of the Ingham County Road Commission, and

Whereas, the Ingham County Road Commissioners of the County of Ingham by Resolution dated September 17, 1981, relinquishes complete jurisdiction and control of this section of Clippert Street to the City of Lansing, subject to the acceptance by the City of Lansing and notification to the Michigan Department of Transportation, Local Government Division, for certification purposes, and

Whereas, the City of Lansing Public Service Department presently maintains Grand River Avenue and the adjacent srteets within Frandora Hills Subdivision to the north, routinely maintains this section of Clippert Street during sweeping and snow plowing operations as they travel between Grand River Avenue and the streets within the Frandora Hills Subdivision, and has existing jurisdiction and control of the storm and sanitary sewers within the Clippert Street R.O.W., and has desired to control on street parking regulations for this section of Clippert Street,

Now, Therefore, Be It Resolved that the City of Lansing hereby accepts complete jurisdiction and control of that part of Clippert Street located in Section 11, Lansing Charter Township, north of westbound M-43 within the Supervisor's Plat of Greenfield, and running north 687 feet,

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more or less, to the limits of Frandora Hills Subdivision.

Be It Further Resolved, that this action shall be effective upon notification and approval by the Michigan Department of Transportation, Local Government Division, for certification.

Adopted by the following vote:

Unanimously.

By ECONOMIC DEVELOPMENT COMMITTEE—

Resolved by the City Council of the City of Lansing:

Whereas, Howard Spence and Katherine Haar have been appointed as temporary directors of the Economic Development Corporation for the Jury-Rowe Building project;

Now, Therefore, Be It Resolved that the Council of the City of Lansing hereby confirms the appointment of Howard Spence and Katherine Haar as temporary directors of the Economic Development Corporation for the Jury-Rowe Building project.

Adopted by the following vote:

Unanimously.

By ECONOMIC DEVELOPMENT COMMITTEE—

**RESOLUTION APPROVING PROJECT AREA, ESTABLISHING PROJECT DISTRICT AREA AND CONFIRMING AP. POINTMENT OF ADDITIONAL DIRECTORS TO THE BOARD OF DIRECTORS OF THE ISSUER**

**(Educational Subscription Service Project)**

Minutes of a regular meeting of the City Council of the City of Lansing, Michigan, held at 7:00 o'clock p.m., Michigan Time, on October 19, 1981, at which the following members were present: Councilmen Adado, Belen, Blair, Brenke, Gunther, Lindemann, McKane, Worthington; and the following were absent: None.

The following preamble and resolution were offered by Councilman Adado and supported by Councilman Brenke:

Whereas, the Economic Development Corporations Act, Act No. 338 of the Michigan Public Acts of 1974, as amended (the "Act"), recognizes that there exists in the State of Michigan the need for programs to alleviate and prevent conditions of unemployment, to assist and retain local industries and commercial enterprises, to encourage and assist the location and expansion of such enterprises to provide needed services and facilities to the City of Lansing and its residents to promote the forestry and agricultural sectors of the State's economy, and to encourage the development of facilities designed to produce energy from renewable sources; and

Whereas, the Act provides a means by which these needs may be addressed; and

Whereas, Shrikumar and Mayvrika Poddar and Educational Subscription Service, Inc., a Michigan Corporation (the "Applicants") have proposed a project (the "Project") to The Economic Development Corporation of the City of Lansing (the "Issuer") which would assist in the alleviation of the aforementioned conditions; and

Whereas, the Issuer, in conformity with the Act, has designated a Project Area and Project District Area for its Project to this City Council for its approval thereof.

Now, Therefore, Be It Resolved by this City Council of the City of Lansing, as follows:

1. The following Project Area, as designated by the Issuer, is hereby certified as approved:

EXHIBIT A

LEGAL DESCRIPTION

That part of Lot 2, Hospitality Motor Inns, a subdivision on part of the SW ¼ of Section 36, T4N, R2W, City of Lansing, Ingham County, Michigan, described as: Beginning at the NE corner of said Lot 2 on the West right of way line of Collins Road; thence S 01° 31′ 45″ E, 240.00 feet along the East line of said Lot 2; thence N 86° 09′ 45″ W, 314.78 feet; thence N 01° 31′ 45″ W, 240.00 feet; thence S 86° 09′ 45″ E, 314.78 feet to the point of beginning.

2. The territory surrounding said designated Project Area will not be significantly affected by the Project and, therefore, a Project District Area having the same description as the Project Area herein certified as approved is hereby established.

3. Pursuant to Section 20 (b) and (e) of the Act, a Project Citizens District Council is not required for the Project and therefore, such a Council shall not be formed.

4. This Council hereby advises and consents to the appointment by the chief executive officer of the City of Lansing of Thomas Papiernik, Sr., and George Hess as additional directors to the Board of Directors of the Issuer, pursuant to Section 4 (2) of the Act, said persons being representative of neighborhood residents and business interests likely to be affected by the Project.

5. The City Clerk is hereby directed to provide three (3) certified copies of this resolution to the Secretary of the Issuer.

Yeas: Councilmen Adado, Belen, Blair, Brenke, Gunther, Lindemann, McKane, Worthington.

Nays: None.

Abstentions: None.

Resolution declared adopted.

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STATE OF MICHIGAN }
COUNTY OF INGHAM } ss.

I hereby certify that the foregoing is a true and complete copy of a resolution adopted at a regular meeting of the City Council of the City of Lansing, County of Ingham, Michigan, held on the 19th day of October, 1981, and that the said minutes are on file in the office of the City Clerk and are available to the public. Public notice of said meeting was given pursuant to and in compliance with Act No. 267, Public Acts of Michigan, 1976.

THEO FULTON,
Lansing City Clerk.

Adopted by the following vote:

Unanimously.

By ECONOMIC DEVELOPMENT COMMITTEE—

Resolved by the City Council of the City of Lansing:

Whereas, the Lansing City Council has established a Lansing Commercial Redevelopment District CRD-3-81 in the City of Lansing, pursuant to Act 255, 1978, and

Whereas, Triad Investment Firm has submitted an application for a Commercial Redevelopment Exemption Certificate in said Commercial Redevelopment District CRD-3-81, and

Whereas, a hearing was held on Triad Investment Firm's application for an exemption certificate on September 21, 1981, at which time all interested persons had an opportunity to be heard, and

Whereas, Triad Investment Firm has met the requirements for said exemption certificate as required in Public Act 255, and

Whereas, this Council finds that the granting of this exemption certificate, considered together with the aggregate amount of Industrial Facilities and Commercial Redevelopment Exemption Certificates previously granted and currently in force shall not have the effect of substantially impeding the operation of the City of Lansing nor impairing the financial soundness of taxing units levying ad valorem property taxes in the City of Lansing; see memorandum of the Finance Director dated September 2, 1981, attached hereto;

Now, Therefore, Be It Resolved that the Council of the City of Lansing approve the application from Triad Investment Firm for an exemption certificate in Lansing Commercial Redevelopment District CRD-3-81 and shall remain in effect for a period of 6 years.

Adopted by the following vote:

Unanimously.

By COUNCILMAN WORTHINGTON—

That the following resolution be substituted for the original resolution that was placed on the agenda.

Carried.

By COMMITTEE OF THE WHOLE—

Resolved by the City Council of the City of Lansing:

Whereas, City Council resolved on August 17, 1981, that the City Attorney's Office be authorized and directed to commence the appropriate proceedings in Circuit Court to effect the vacation of a portion of the 200 block of East Ottawa Street, between North Grand Avenue and the Grand River and a section of the 200 block of East Ionia Street, between North Grand Avenue and the Grand River; and

Whereas, on the 4th day of September, 1981, the "Complaint and/or Application to Discontinue and Vacate Parts of the Public Highways known as Ionia and Ottawa Streets" was filed; and

Whereas, a hearing was held on the matter on October 7, 1981, in a Circuit Courtroom for the County of Ingham; and

Whereas, the Court determined that it was necessary for the best interest and welfare of the public that the aforesaid parts of the public highways known as Ionia and Ottawa Streets be discontinued and vacated; and

Whereas, Honorable Jack W. Warren, Circuit Judge, ordered and adjudged on October 8, 1981, and recorded on October 9, 1981, at Liber 1378, Page 805, that the part of the public highway known as Ionia Street in the City of Lansing, Ingham County, Michigan, lying between the East right of way line of North Grand Avenue (on the west) and the East bank of the Grand River (on the east) and which is specifically described as follows:

Beginning at the SW corner of Lot 13, Block 66, Original Plat, Town of Michigan, now City of Lansing, as recorded in Liber 7, Page 598, Ingham County Records; thence East 340 feet more or less to the west bank of the Grand River, thence southerly along the bank of the River to the North line, Block 98, Original Plat, thence West to the Northwest corner of Lot 4, Block 98, Original Plat, thence 82.5 feet to beginning.

may be vacated by the City Council of the City of Lansing, Ingham County, Michigan; and

Whereas, the Honorable Jack W. Warren, Circuit Judge ordered and adjudged

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on October 8, 1981, and recorded on October 9, 1981, at Liber 1378, Page 805, that the part of the public highway known as Ottawa Street in the City of Lansing, Ingham County, Michigan, lying between the East right of way line of North Grand Avenue (on the west) and the West bank of the Grand River (on the east) and which is specifically described as follows:

Beginning at the Southwest corner of Lot 5, Block 98, Original Plat, Town of Michigan, now City of Lansing, as recorded in Liber 7, Page 598, Ingham County records; thence South 82.5 feet to the Northwest corner of Lot 1, Block 99, thence East to the Grand River, thence Northeasterly along the course of the Grand River to the South lot line of Lot 8, Block 98, thence West to the point of beginning,

may be vacated by the City Council of the City of Lansing, Ingham County, Michigan; and

Whereas, Honorable Jack W. Warren, Circuit Judge, further ordered and adjudged on October 8, 1981, and recorded on October 9, 1981, at Liber 1378, Page 805, that the City Council of the City of Lansing, Ingham County, Michigan, be specifically authorized to take whatever action it deems appropriate, including the passage of a City Council resolution, to accomplish the complete discontinuance and vacating of the above described parts of the public highways known as Ionia Street and Ottawa Street; Now, Therefore,

Be It Resolved that the 200 Block of East Ionia right of way from the East line of Grand Avenue Easterly to the West bank of the Grand River is hereby vacated; and be it

Further Resolved that the 200 Block of East Ottawa right of way from the East line of Grand Avenue Easterly to the West bank of the Grand River is hereby vacated; and be it

Further Resolved that the City of Lansing is authorized to transfer possession and control of the South 41.25 feet of the vacated portion of Ottawa Street to the Board of Water & Light of the City of Lansing by quit claim deed provided, however, that the City of Lansing shall retain an easement across the South 10 feet of the vacated portion of the Ottawa Street right of way for the purpose of construction and maintenance of a pedestrian walkway; and be it

Finally Resolved that the City Clerk is hereby authorized and directed to file the necessary documents with the Ingham County Register of Deeds.

Adopted by the following vote:

Unanimously.

By COMMITTEE OF THE WHOLE—

Resolved by the City Council of the City of Lansing:

Whereas, on June 29, 1981, the City Council adopted a policy mandating reductions in the City's automobile fleet; and

Whereas, this resolution shall be considered as amendatory to the June 29, 1981 resolution;

Now, Therefore, Be It Resolved, automobiles, regardless of whether they meet the cost test or exception criteria established by the Administration pursuant to the Council Resolution of June 29, 1981, which are required for continuous daily use in the field by employees in the performance of their specified duties and which have been historically provided by the City, be retained for so long as the current employee occupies the current position; and

Be It Further Resolved, that any employee who is currently required to use an automobile in the daily performance of City duties, who was not hired with the understanding that he/she would have to provide their own vehicle to perform those duties, and who is placed under undue financial hardship if required to purchase an automobile on a relatively short notice, be eligible to request a one-year, non-renewable deferral of implementation based on personal hardship, with appeal criteria to be established by the Administration; and

Be It Further Resolved, the attached definitions, criteria and procedures developed by the Administration in conjunction with the Special Vehicle Committee shall be adhered to in the implementation of this policy; and

Be It Finally Resolved, that prior to January 1, 1982, the Mayor will provide to the City Council a report of reductions in the fleet made pursuant to the Resolution of June 29, 1981, and this Resolution, the cost savings associated with said reductions, and the impact of those reductions on the delivery of services to the citizens of Lansing.

Adopted by the following vote:

Yeas: Councilmen Adado, Belen, Gunther, Lindemann, McKane, Worthington—6.

Nays: Councilmen Blair, Brenke—2.

## REMARKS BY THE MAYOR'S EXECUTIVE ASSISTANT

No comments.

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**REMARKS BY THE CITY COUNCIL**

Councilman Blair spoke relative to statements made by Mayor Graves.

Councilman Brenke spoke.

By COUNCILMAN BELEN—

That this meeting stand adjourned.

Carried.

Council adjourned at 8:55 p.m.

THEO FULTON,
City Clerk.

Lansing, Michigan

October 26, 1981

F/B

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CITY CLERK'S OFFICE
Room 921, City Hall
Lansing, Michigan 48933

Address Correction Requested

BULK RATE
U. S. POSTAGE
PAID
Permit No. 1461
Lansing, Michigan



# OFFICIAL PROCEEDINGS OF
# THE CITY COUNCIL
## OF THE CITY OF LANSING

## Proceedings, November 2, 1981

CITY COUNCIL ROOMS

Lansing, Michigan

November 2, 1981

The City Council of the City of Lansing, Michigan, met in regular session and was called to order by President Belen.

Present: Councilmen Belen, Blair, Brenke, Gunther, Lindemann, McKane, Worthington—7.

Absent: Councilman Adado—1.

The Clerk announced that a quorum of the Council was present.

Invocation was given by Councilman Gunther.

Pledge of Allegiance was led by Councilman Gunther.

**THE PUBLIC MAY NOW ADDRESS THE CITY COUNCIL ON ANY OF THE FOLLOWING ITEMS LISTED ON THE AGENDA: COMMUNICATIONS AND PETITIONS, COMMITTEE REPORTS, REPORTS OF CITY OFFICERS AND BOARDS AND RESOLUTIONS. YOU MAY SPEAK ONLY FOR 3 MINUTES ON ANY ONE ITEM.**

No person spoke.

COMMUNICATIONS AND PETITIONS

The following applications and bonds have been filed for licenses:

PUBLIC DRIVER—

Dennis Robert Smith.

RUBBISH HAULER—

Lawrence Williams, William Mockerman.

Referred to Committee on General Services.

Claim filed by:

Ghulam Rasul Sambal submitted a billing for work done on sewer caused by plugged city sewer line.

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Shirley Crawford Tingay for sewer connecting fee.

Referred to Mayor, City Attorney.

Request from Central Advertising Company for permission to erect a double face sign at 4600 N. Grand River.

Referred to Mayor, Planning Board.

Request from Presentation Design Association for permission to encroach on the public right-of-way involving the design of the rehabilitation of the Washington Square Building for the Washington Square Office Partners.

Referred to Mayor, Planning Department.

Application for Commercial Facilities Exemption Certificate filed by Great Lakes Real Estate Trust—3128 and 3222 S. Logan Street.

Referred to Mayor, Economic Development Corporation, Committee on Economic Development.

Letter from George H. Scarlett in regard to pension benefits for retirees.

Referred to Mayor, Retirement Board.

Letter from the State of Michigan—Department of Treasury in regard to audit as of June 30, 1981.

Referred to Mayor.

Letter from Ingham County Health Department in regard to food establishments that have let their licenses expire due to non-payment of renewal fees which was sent to Cohl, Salstrom & Stoker, P.C.

Referred to Mayor, City Clerk, Committee on General Services.

Letter from the Department of Natural Resources relative flood plain permit application for Roy Markey.

Received and placed on file.

Consumers Power Company submits notice of hearing to be held on adjustment charges.

Received and placed on file.

## MAYOR'S EXECUTIVE ASSISTANT COMMENTS ON ANY ITEM ON THE AGENDA

No comment.

## REPORTS OF COMMITTEES

The COMMITTEE ON GENERAL SERVICES approves the following applications and bonds for licenses:

PUBLIC DRIVER—

Dennis Robert Smith.

RUBBISH HAULER—

Lawrence William, William Mockerman.

Signed:

WILLIAM A. BRENKE,
PAT LINDEMANN,
TERRY J. McKANE,
Committee on General Services.

By COUNCILMAN BRENKE—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

The COMMITTEE ON PHYSICAL DEVELOPMENT, to whom was referred the rezoning petition Z-25-81 for property at Vacant land in the 6000 block of Grovenburg Road from "A" One Family Residential District to a "D-1" Professional Office District, reports as follows:

That said rezoning be approved.

Signed:

SIDNEY P. WORTHINGTON,
LUCILE BELEN,
WILLIAM A. BRENKE,
Committee on Physical Development.

By COUNCILMAN WORTHINGTON—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

The COMMITTEE ON PHYSICAL DEVELOPMENT, to whom was referred the rezoning petition Z-7-81—for property at 1832 Hoyt Avenue from "A" One Family

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Residential District to a "C" Two Family Residential District, reports as follows:

That said rezoning be approved.

Signed:

SIDNEY P. WORTHINGTON,
LUCILE BELEN,
WILLIAM A. BRENKE,
Committee on Physical Development.

By COUNCILMAN WORTHINGTON—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

## REPORTS OF CITY OFFICERS AND BOARDS

October 16, 1981

To the Honorable President Lucile Belen and Members of the Lansing City Council

Re: Claim of Eugene Clark in the amount of $180.00

Dear President Belen and Council Members:

The claimant incurred damage to his motorcycle in the amount of $180 after he lost control while negotiating the intersection at Elm and Cedar Streets on July 20, 1981. The claimant alleges that the fall and subsequent damage were caused by an oil spill left by a City vehicle seconds before his accident.

Pursuant to MCLA 691.1402, MSA 3.996 (102, a municipality is obligated to maintain highways in reasonable repair and in a condition reasonably safe and convenient for public travel. MCLA 691.1403; MSA 3.996 (103) provides that a municipality is immune from liability for damages caused by defective highways unless the municipality knew, or, in the exercise of reasonable diligence, should have known, of the existence of the defect and had a reasonable time to repair that defect.

This office is informed by the Public Service Department that the first notification they received of any defect in the area of Elm and Cedar Streets was when this claimant placed a call to the Public Service Department subsequent to his accident. A Public Service Department Supervisor with 27 years of experience was dispatched to the scene of this accident immediately, discovered a small amount of dried material on the roadway, and judged the condition of the roadway to be nondangerous.

Applying the aforementioned statutes to the facts presented by this claimant, it is apparent that if a dangerous defect did exist, the City of Lansing had no prior notice of the alleged defect prior to this claimant's notification. Therefore, it is the recommendation of this office that this claim be denied on the basis of governmental immunity.

Respectfully submitted,

STEPHEN R. SAWYER,
City Attorney.

By COUNCILMAN GUNTHER—

That we concur in the recommendation of the City Attorney and said claim be denied.

Carried.

October 29, 1981

President Lucile Belen and
Members of the City Council

10th Floor

City Hall

Lansing, Michigan

Gentlemen:

I am attaching an Affidavit of Disclosure signed by Budd Rutter, a member of the Board of Public Service, intending to have business dealings with the City of Lansing either directly or indirectly.

Sincerely,

(MISS) THEO FULTON,
City Clerk.

Received and placed on file.

DATE: 10-23-81

TO: President Belen and Members, Lansing City Council

FROM: Police Chief Richard A. Gleason

SUBJECT: Parade Application—Veteran's Day

Attached is an application for a parade permit from the Mayor's Parade Committee, scheduled for 8:00 P.M. on Wednesday, November 11, 1981, which has been approved by all the necessary departments.

Our personnel estimate this will cost the City a total of $275.61, which represents two sergeants, 13 officers and 14 vericles for one hour.

This is being sent to you for final approval.

By COUNCILMAN BRENKE—

That we concur in the recommendation of the Chief of Police and said parade permit be approved inasmuch as it has received all the signatures of all the required departments.

Carried.

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Novmber 2, 1981

The Honorable Mayor and City Council
of the City of Lansing, Michigan

Gentlemen:

Submitted herewith are the Financial Statements of the City funds at September 30, 1981, showing the relationship between the estimated and actual revenues of the City's funds at that date.

This report, together with the Budget Status Report, provides the Mayor and City Council with required data relating to the financial condition of the City, exclusive of operations of the Board of Water and Light.

Respectfully submitted,

JAMES W. DOWSETT,
Finance Director,

STEPHEN W. DUARTE,
City Controller.

Referred to Committee on Ways and Means.

October 21, 1981

Mayor Gerald W. Graves,

Council President Lucile Belen
and Members of the City Council

Re: Speaker-Hines & Thomas
EDC Project

Dear Mayor Graves and City Council Members:

At a special meeting of the Lansing Economic Development Corporation Board of Directors, held on October 21, 1981, by a vote of 11-0, the Board of Director's approved the Resolution Approving the Project Plan for Speaker-Hines & Thomas EDC Project (attached).

Sincerely yours,

EMERSON B. OHL,
Executive Director.

Referred to Mayor, Committee on Economic Development.

October 21, 1981

Mayor Gerald W. Graves,

Council President Lucile Belen
and Members of the City Council

Re: Southwind Park III EDC Project

Dear Mayor Graves and City Council Members:

We are forwarding to you a resolution approved by the Lansing Economic Development Corporation Board of Directors of action taken at a special meeting held on October 21, 1981, approving the Resolution of Inducement, Designation of Projects Area and Designation of Bond Counsel. Therefore, it will be necessary for you to appoint two (2) Temporary Directors to this project.

The applicant proposes to construct an approximately 60,000 square foot office building facility on the property described in the resolution, located at 909 West Holmes Road, Lansng, Michigan. They are asking for Two Million Eight Hundred Eighty Thousand Dollars ($2,880,000) in EDC financing.

The Economic Development Corporation is in the process of developing a Project Plan to be presented to you at a future date.

Also, inasmuch as there is no residential area to be affected by the Project Plan, we believe that it is not necessary to establish a Project Citizens District Council.

Sincerely yours,

EMERSON B. OHL,
Executive Director.

Referred to Mayor, Committee on Economic Development.

DATE: 10/27/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the City Controller Re: Financial Security, Sunset Hills No. 10 request to release $4,600.00 in financial security

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

By COUNCILMAN GUNTHER—

That we concur in the recommendation of the Mayor and said release of financial security be approved.

Approved.

DATE: 10/27/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the City Controller Re: Financial Security, Trappers Cove

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No. 2, request to release $3,200.00 in financial security

The attched correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

By COUNCILMAN GUNTHER—

That we concur in the recommendation of the Mayor and said release of financial security be approved.

Carried.

DATE: 10/26/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Submission of attached correspondence from the City Controller Re: CETA Monitoring Audit of Youth Development Corporation

The attached correspondence is submitted for your information.

GERALD W. GRAVES,
Mayor.

Received and placed on file.

October 29, 1981

Council President Lucile Belen and
Members of the Lansing City Council

10th Floor, City Hall

Lansing, Michigan 48933

Dear Council President and Members:

This office has been recently advised by Armida Valdez, a member of the Human Resources Advisory Board, that she can no longer serve. Therefore, I am submitting to you for your consideration and confirmation, the name of Rosalie M. Walker to fill said vacancy, which term expires June 30, 1985.

Ms. Walker is currently the Administrative Assistant to the Department Chairman, Health Careers Department, Lansing Community College, and resides in the City of Lansing at 2818 Monego Drive. And, I am sure you will note from the attached resume, that Ms. Walker will be a definite asset to this most important Board.

Trusting this recommendation meets with your approval, I remain

Sincerely,

GERALD W. GRAVES,
Mayor.

By COUNCILMAN BLAIR—

That we concur in the recommendation of the Mayor and said appointment of Rosalie M. Walker be approved.

Carried.

DATE: 10/29/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Mayor's Economic Development Advisory Group Re: EDC request for approval of project plan for Speaker-Hines & Thomas project

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Economic Development.

October 29, 1981

Council President Lucile Belen and
Members of the Lansing City Council

10th Floor, City Hall

Lansing, Michigan 48933

Dear Council President and Members:

Several weeks ago, City Council adopted a committee report regarding disposition of the Genesee Center. At that time, City Council rejected a bid submitted for purchase of the property due to certain concerns regarding the structural integrity of the building.

The City's Property Manager, Sam Clay, has contacted various engineering firms and has received a proposal from Lefkofsky, Bobish and Associates, Inc., to conduct a structural survey at a maximum cost of $700 on the building. The results of that survey will determine what the best alternative will be for the future of this property. I am confident that the survey will confirm what was preliminarily indicated by City Building Commissioner Jim Kzeski —that some shifting of the foundation may have occurred at the time of construction but that the building is at this point fundamentally sound. In any event, this report will provide a professional basis on which to make any future judgment. For that reason, I am recommending that City Council approve the Administration proceeding with this study as soon as possible.

Sincerely,

GERALD W. GRAVES,
Mayor.

Referred to Committee on Public Property and Safety.

October 28, 1981

Council President Lucile Belen and
Members of the Lansing City Council

10th Floor, City Hall

Lansing, Michigan 48933

Dear Council President and Members:

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On April 2, 1979, City Council adopted unanimously a resolution to acquire certain excess highway property from the Michigan Department of Transportation located on South Logan Street between Rundle and Victor on the west side of the street. The resolution, which is included in the attached transmittals from Property Manager Sam Clay, indicated that the City should acquire this property "provided the costs of acquisition and maintenance of the parcel are not excessive."

The Department of Transportation has, just recently completed its appraisal of this property and has established a price to the City of $10,700 for this piece, which contains approximately 8,584 square feet. This is an effective price of over $54,000 per acre on this property.

While I appreciate the motives of the Planning Board in recommending this acquisition to City Council some 2½ years ago, much has happened in that time to worsen the City's economic conditions. Therefore, I cannot in any way support the purchase of this property at this time. I hereby recommend that the City Council reconsider its previous action in light of the established price for this property and in light of the present economic outlook. I further recommend that the Department of Transportation be advised to place this property on an upcoming bid sale.

Sincerely,

GERALD W. GRAVES,
Mayor.

Referred to Committee on Public Property and Safety.

## RESOLUTIONS

By COMMITTEE ON GENERAL SERVICES—

Resolved by the City Council of the City of Lansing:

That the request from State Employees Retiree Association for a 24-hour liquor permit to be held at the National Guard Armory on December 2, 1981, is hereby approved provided all necessary documents are approved by the Liquor Control Commission.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PUBLIC PROPERTIES AND SAFETY—

Resolved by the City Council of the City of Lansing:

Whereas, the Traffic Board has reviewed a request to change parking restrictions on the north side of Ottawa Street between Chestnut Street and Pine Street; and

Whereas, staff research has determined that the current prohibition of parking during 7-9 a.m. and 4-6 p.m. is not necessary to maintain traffic flow; and

Whereas, the Traffic Board and the Mayor have concurred in the staff recommendation to remove the 7-9 a.m. and 4-6 p.m. restrictions;

Now, Therefore, Be It Resolved, the Lansing City Council hereby concurs with the Traffic Board recommendation and establishes a TWO HOUR METERED PARKING 8 AM-6 PM restriction on the north side of Ottawa Street from 50 feet west of Chestnut Street to 130 feet west of Chestnut Street and from 235 feet east of Pine Street to 65 feet east of Pine Street.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PUBLIC PROPERTIES AND SAFETY—

Resolved by the City Council of the City of Lansing:

Whereas, the Traffic Board has reviewed a resident's request to remove the parking restriction on the south side of S. Genesee Drive between Verlinden Street and Memphis Street; and

Whereas, resident response to a staff survey showed a clear majority desire to have parking remain as is; and

Whereas, research on this issue revealed an inconsistency between the Traffic Code and street signs on S. Genesee Drive; and

Whereas, the Traffic Board and Mayor have concurred in the staff recommendation to keep current restrictions as posted, while changing the Traffic Code to agree with the street signs;

Now, Therefore, Be It Resolved, the Lansing City Council hereby approves the Traffic Board recommendations and corrects the Traffic Code to list a NO PARKING AT ANY TIME restriction on the south side of S. Genesee Drive between Verlinden and Memphis Streets.

Adopted by the following vote:

Unanimously.

By ECONOMIC DEVELOPMENT COMMITTEE—

**City of Lansing**
**County of Ingham, Michigan**

**RESOLUTION CALLING PUBLIC HEARING CONCERNING PROJECT PLAN CONCERNING SPEAKER-HINES & THOMAS, INC. PROJECT**

Minutes of a Regular Meeting of the City Council of the City of Lansing, County of

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Ingham, Michigan (the "Council"), held on November 2, 1981, at 7:00 o'clock p.m., Eastern Standard Time.

Present: Councilmen Belen, Blair, Brenke, Gunther, Lindemann, McKane, Worthington.

Absent: Councilman Adado.

The following preamble and resolution were offered by Councilman Gunther and supported by Councilman Worthington:

Whereas, there exists in the City of Lansing, County of Ingham, Michigan (the "City") the need for certain programs to alleviate and prevent conditions of unemployment and revitalize the City's economy, and to encourage the location and expansion of industrial and commercial enterprises to provide needed services and facilities to the City and its residents; and

Whereas, a program to alleviate the aforesaid conditions and accomplish said purposes has been initiated by The Economic Development Corporation of the City of Lansing (the "Corporation"); and

Whereas, the Corporation in conformity with Act No. 338 Public Acts of Michigan, 1974, as amended ("Act No. 338"), has prepared and submitted a project plan for the Speaker-Hines & Thomas, Inc.; and

Whereas, pursuant to Act No. 338 it is necessary to hold a public hearing concerning said project plan prior to taking legislative action relating to it;

Now, Therefore, Be It Resolved that:

1. Pursuant to the aforesaid Act No. 338 the Council shall meet on November 23, 1981, at 7:00 o'clock p.m., at which time it shall conduct a public hearing on the Corporation's submission of the project plan.

2. The Clerk be and is hereby directed to give notice of such public hearing by (1) publishing a notice thereof in the Lansing State Journal, a newspaper of general circulation in the City; (2) posting in at least ten (10) conspicuous and public places in the project district area; and (3) mailing to the last known owner of each parcel of real property in the project district area at the last known address of the owner as shown by the tax assessment records, which notices shall be published and given at least ten (10) full days prior to the date set for said hearing.

3. Said notice shall be in substantially the following form:

**OFFICIAL NOTICE TO THE CITIZENS OF THE CITY OF LANSING OF PUBLIC HEARING TO CONSIDER APPROVAL OF A PROJECT PLAN AS SUBMITTED TO THE CITY COUNCIL OF THE CITY OF LANSING BY THE ECONOMIC DEVELOPMENT CORPORATION OF THE CITY OF LANSING FOR THE SPEAKER-HINES & THOMAS, INC. PROJECT**

Please Take Notice that pursuant to Act 338 of the Public Acts of Michigan of 1974, as amended, The Economic Development Corporation of the City of Lansing has submitted a project plan to the City Council for its approval.

Said project plan deals with the purchase and installation of a Harris Cotrell M-1000 printing press and details all information required by law relative to said project and its impact on the community. The project will not require the displacement and relocating of any persons. The location of the project plan area is 3366 Remy Drive and is comprised of the Speaker-Hines & Thomas plant and property.

The City Council will meet at 7:00 o'clock p.m., Eastern Standard Time, on Monday, the Twenty-third (23rd) day of November, 1981, at the City Council Chambers, City Hall, Lansing, Michigan, and will conduct a public hearing on the advisability of approving by resolution the project plan.

The City Council may approve, modify or reject said project plan.

This Notice is given pursuant to the requirements of Sections 10 and 17 of Act No. 338, Public Acts of Michigan, 1974, as amended. Further information, including maps, plans and a description of the proposed project plan, are available for public inspection at the City Clerk's office.

All interested citizens are encouraged and will be offered an opportunity at said hering to address the City Council concerning any aspect of said project plan.

THEO FULTON,
City Clerk.

4. The Council does hereby determine that the foregoing form of notice and the manner of publication directed is adequate notice to the citizens of the City and is well calculated to inform them of the intention of the City Council to hold a public hearing and the purpose of the public hearing.

5. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same hereby are rescinded.

Ayes: Councilmen Belen, Blair, Brenke, Gunther, Lindemann, McKane, Worthington.

Nays: None.

Resolution declared adopted.

THEO FULTON,
City Clerk.

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City Council of the City of Lansing, County of Ingham, Michigan, at

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a regular meeting held on November 2, 1981, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, and that the minutes of said meeting were kept and will be or have been made available as required by said Act.

THEO FULTON,
City Clerk.

Adopted by the following vote:

Unanimously.

## ZONINGS

By COUNCILMAN WORTHINGTON—

Whereas, by petition duly filed on the 2nd day of March, 1981, this Council was petitioned to change the following described property from "A" One Family Residential District to "C" Two Family Residential District, all as set forth in the Zoning Code of this city, and

Whereas, due notice as required by law has been given for a public hearing on said petition, and

Whereas, at such hearing held on the 19th day of October, 1981, all parties interested therein were heard and given due consideration, and

Whereas, the property involved is described as:

Z-7-81—1832 Hoyt Avenue,

more particularly described as:

Parcel No. 3301-27-476-081

The east 100 feet of Lot 35 and the north 35 feet of the east 100 feet of Lot 34, Goodhome Subdivision, City of Lansing, Ingham County, Michigan;

from an "A" One Family Residential District to a "C" Two Family Residential District.

Whereas, the Planning Board, at their meeting of September 1, 1981, recommended that the petition be approved, subject to conditions; and

Whereas, the Physical Development Committee of the City Council, to whom the report of the Planning Board was referred, concurs therewith;

Now, Therefore, Be It Resolved that the Council of the City of Lansing hereby ordains that the petition to rezone the above described premises from an "A" One Family Residential District to a "C" Two Family Residential District be approved; and

Be It Further Resolved that the development of the property is subject to the following conditions:

1) The easement which extends across the property must be vacated or the width reduced prior to development; and

2) No construction shall occur until and unless a special permit has been approved by the City of Lansing authorizing construction within the base (100 year) flood plain of the Sycamore Creek; and

Be It Finally Resolved that the City Clerk be, and she is hereby directed to notify the petitioner of this action and the conditions thereof.

Adopted by the following vote:

Unanimously.

By COUNCILMAN WORTHINGTON—

Whereas, by petition duly filed on the 22nd day of June, 1981, this Council was petitioned to change the following described property from "A" One Family Residential District to "D-1" Professional Office District, all as set forth in the Zoning Code of this city, and

Whereas, due notice as required by law has been given for a public hearing on said petition, and

Whereas, at such hearing held on the 19th day of October, 1981, all parties interested therein were heard and given due consideration, and

Whereas, the property involved is described as:

Z-25-81—Vacant land in the 600 block of Grovenburg Road,

more particularly described as:

Parcel No. 3305-05-356-011

Beginning 183 feet north and 33 feet east of the southwest corner of Section 5, T3N, R2W, Delhi Township (now City of Lansing; thence north 60 feet; thence south 89° 30' east 182.4 feet; thence south 43° east 32.8 feet to a point 239.4 feet east and 221 feet north of the southwest corner of the Section; thence south 38 feet; thence west 206.4 feet to beginning; City of Lansing, Ingham County, Michigan;

from an "A" One Family Residential Distroict to a "D-1" Professional Office District; and

Whereas, the Planning Board, at their meeting of September 1, 1981, recommended that the petition be approved; and

Whereas, the Physical Development Committee of the City Council, to whom the report of the Planning Board was referred, concurs therewith;

Now, Therefore, Be It Resolved that the petition to rezone the above described prop-

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erty from an "A" One Family Residential District to a "D-1" Professional Office District be approved; and

Be It Further Resolved that the City Clerk be, and she is hereby, directed to notify the petitioner of this action.

Adopted by the following vote:

Unanimously.

By COUNCILMAN GUNTHER—

Resolved by the City Council of the City of Lansing:

That Councilman Adado be excused from the session.

Carried.

By COUNCILMAN GUNTHER—

Resolved by the City Council of the City of Lansing:

That the rules of the Council be waived for the purpose of presenting items that are not listed on the agenda.

Carried.

By COUNCILMEN ADADO, BELEN, BLAIR, GUNTHER, BRENKE, LINDEMANN, McKANE, WORTHINGTON—

Resolved by the City Council of the City

Whereas, Theo Fulton has served the citizens of the City of Lansing for the last 52 years, and

Whereas, Theo Fulton has served ably as the City Clerk of Lansing for 16 years, and

Whereas, on behalf of all residents of the City of Lansing in full recognition of Theo Fulton's contribution to our community,

Now, Therefore, Be It Resolved, the City Council of the City of Lansing hereby officially changes the name of Sheffield Park to "Theo Fulton Park," and

Be It Further Resolved, Theo Fulton Park shall be so designated and all appropriate notifications shall be provided to the proper offices and agencies.

Adopted by the following vote:

Unanimously.

By COMMITTEE OF THE WHOLE—

Resolved by the City Council of the City of Lansing:

Whereas, the 1981 Congress of Cities and Exposition will be held in Detroit, Michigan, November 28th through December 2nd; and

Whereas, the National League of Cities has designated the three themes of the 1981 Congress as Responsibilities, Resources and Relationships; and

Whereas, the City of Lansing will be represented in Detroit;

Now, Therefore, Be It Resolved, the City Council of the City of Lansing hereby designates Mayor Gerald W. Graves and Councilmen McKane, Lindemann (as alternate) to be voting delegates at the Annual Business Session of the Congress.

By COUNCILMAN BLAIR—

That the resolution be amended as follows:

That Bruce Stark, Executive Assistant to the Council be named as an alternate voting delegate to the Congress.

Carried.

The resolution as amended was adopted by the following vote:

Unanimously.

## REMARKS BY THE MAYOR'S EXECUTIVE ASSISTANT

Mr. Black spoke relative Genesee Center.

## REMARKS OF CITY COUNCIL—SUSPENSION OF RULES

By COUNCILMAN BELEN—

That this meeting stand adjourned.

Carried.

Council adjourned at 7:27 p.m.

THEO FULTON,
City Clerk.

Lansing, Michigan

November 2, 1981

F/B

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CITY CLERK'S OFFICE
Room 921, City Hall
Lansing, Michigan 48933

Address Correction Requested

BULK RATE
U. S. POSTAGE
PAID
Permit No. 1461
Lansing, Michigan



# OFFICIAL PROCEEDINGS OF THE CITY COUNCIL OF THE CITY OF LANSING

## Proceedings, November 9, 1981

CITY COUNCIL ROOMS

Lansing, Michigan

November 9, 1981

The City Council of the City of Lansing, Michigan, met in regular session and was called to order by President Belen.

Present: Councilmen Belen, Blair, Brenke, Gunther, Lindemann, McKane, Worthington—7.

Nays: Councilman Adado—1.

The Clerk announced that a quorum of the Council was present.

Invocation was given by Councilman Worthington.

Pledge of Allegiance was led by Councilman Worthington.

### PUBLIC HEARINGS

November 9, 1981, at 7:00 o'clock being the time set as the time for holding a public hearing on the proposed demolition of a building at 332 S. Logan Street.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed demolition they had the privilege of speaking at this time.

Referred to Committee on General Services.

November 9, 1981, at 7:00 o'clock being the time set as the time for holding a public hearing on the proposed demolition of a building located at 1815 Olds Avenue.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed demolition they had the privilege of speaking at this time.

Referred to Committee on General Services.

November 9, 1981, at 7:00 o'clock being the time set as the time for holding a

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public hearing on the proposed demolition of a building located at 1022 West Washtenaw Street.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed demolition they had the privilege of speaking at this time.

Referred to Committee on General Services.

November 9, 1981, at 7:00 o'clock being the time set as the time for holding a public hearing on the proposed establishment of a Lansing Commercial Redevelopment District CRD-10-81—Frandor Shopping Center.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed district they had the privilege of speaking at this time.

Referred to Committee on Economic Development.

**THE PUBLIC MAY NOW ADDRESS THE CITY COUNCIL ON ANY OF THE FOLLOWING ITEMS LISTED ON THE AGENDA: COMMUNICATIONS AND PETITIONS, COMMITTEE REPORTS, REPORTS OF CITY OFFICERS AND BOARDS AND RESOLUTIONS. YOU MAY SPEAK ONLY FOR 3 MINUTES ON ANY ONE ITEM.**

No person spoke.

## COMMUNICATIONS AND PETITIONS

The following applications and bonds have been filed for licenses:

PUBLIC DRIVER—
Paul Lawrence Ritter.

Referred to Committee on General Services.

Summons filed in Circuit Court by Nancy Hamilton vs. Stafford Runquist, Inc. Moon's (sic) Capitol Indemnity Corporation and City of Lansing in regard to damage to property at Oakland and Grand River.

Referred to Mayor, City Attorney.

Claims filed by:

Winifred S. DuPerow in regard to damage to her automobile at the South Capitol Avenue Parking Ramp due to a greasy substance and concrete dust.

Jerry Lee Thomas for damage to his automobile due to hitting a city barricade at Jerome and N. Holmes Streets.

Referred to Mayor, City Attorney.

Robert L. Hammond submits amendment to rezoning petition Z-36-81 — 1106 East Oakland Avenue.

Referred to Mayor, Planning Board.

Request from the Salvation Army to place Cristmas Kettles on city streets from November 27, through December 24, 1981.

By COUNCILMAN BRENKE—

That the request be approved.

Carried.

Letter from Michael A. Parker in regard to traffic condition that exists near his home at end of Annetta Street.

Referred to Mayor.

Petition requesting the erection of a "Yield" sign at the intersection of Herrick and S. Catherine Streets.

Referred to Mayor, Traffic Board, Committee on Public Property and Safety.

Application for a Commercial Redevelopment District for Joseph F. Sablich representing Sablich, Ryan, Bobay, and Pollock, P.C., for property at Dunckel Road and Collins Road.

Referred to Mayor, Economic Development Corporation and Committee on Economic Development.

Petition filed by Community Involvement Committee at Bingham Street School asking that crossing guards be kept at corners of Bingham and Eureka, Pennsylvania and Michigan and Pennsylvania at Kalamazoo.

Referred to Mayor.

Letters received in regard to the retirees pension benefits from:

Clarence Zimmerman

William P. Nakfoor.

Referred to Mayor, Retirement Board.

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Letter from Anthony D. Sokol, Senior Appraiser for the City of Lancsing Assessor's Office, in regard to mileage reimbursement.

Referred to Mayor, and Vehicle Committee.

Official Notice to the Citizens of the County of Ingham of a public hearing to be held on November 10, 1981, to consider approval of a project plan as submitted to the Board of Commissioners of the County of Ingham by the Economic Development Corporation of the County of Ingham for an Agricultural and Forestry Enterprise Project.

Received and placed on file with copy to the Committee on Economic Development.

State of Michigan—Department of Treasury submits audit report for the Board of Water and Light as of June 30, 1981.

Referred to the Mayor.

## MAYOR'S EXECUTIVE ASSISTANT COMMENTS ON ANY ITEM ON THE AGENDA

No comment.

## REPORT OF COMMITTEE

The COMMITTEE ON GENERAL SERVICES approves the following applications and bonds for licenses:

PUBLIC DRIVER—
Paul Lawrence Ritter.

Signed:

WILLIAM A. BRENKE,
PAT LINDEMANN,
TERRY J. McKANE,
Committee on General Services.

By COUNCILMAN BRENKE—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

## REPORTS OF CITY OFFICERS AND BOARDS

November 5, 1981

President Lucile Belen and
Members of City Council

Re: Theodore Clark v City of Lansing
Redemption of Liability in a Workers' Compensation Disability Matter in the Amount of $7,750.00

Dear President Belen and Members of City Council:

In accordance with Article 4, Chapter 3, Section 4-304.7 of the Lansing City Charter, this office presents its recommendation for redemption of the above captioned matter in the amount of $7,750.

Mr. Clark was employed by the Parks Department as a part time night watchman. On September 10, 1979, Mr. Clark fell from a chair that broke while he was sitting in it and sustained muscle sprains in the lower back region. A report from Dr. Silva indicated that the fall would be likely to exacerbate a preexisting back condition, which in Mr. Clark's case, was a degeneration of the disc located at the lumbo-sacral junction (low back).

After the injury, Mr. Clark continued working through February 17, 1980 and at that time was put on workers' disability compensation through June 13, 1980. Mr. Clark did not return to work. His position was eliminated on July 1, 1980.

Subsequent to his injury, Mr. Clark treated with Dr. Silva and was examined by several other doctors, all of whom but one concurred with Dr. Silva that the injury could and would be likely to aggravate a preexisting back condition. The doctors' opinions were consistent with the history provided by Mr. Clark who indicated prior to the fall he experienced no pain in the lower back region and was able to perform his duties as a park watchman, however, after the fall, the pain became progressively worse and he was eventually unable to perform his duties as a watchman.

At the time of trial, this office entered discussions directed toward resolution of this matter. At the time of trial, Mr. Clark had $2,239.92 in outstanding compensation benefits accrued as well as approximately $2,600 in outstanding medical bills. Had he prevailed at trial, the City would have been obligated to pay those bills as well as weekly benefits which would have totalled $28.68 per week or approximately $1,448.00 per year. Given the fact that Mr. Clark continues to experience back pain and displayed difficulty in walking, it was the belief of this office that it would be in the City's best interest to redeem its liability under the Workers' Disability Compensation Act for future weekly benefits, vocational rehabilitation obligations as well as continuing medical expenses. This office tentatively agreed to redeem Mr. Clark's case for $7,750. If the redemption is approved the City would no longer be responsoible for weekly benefits, vocational rehabilitation expenses as well as medical expenses which appear to be continuing and may continue indefinitely.

In view of the foregoing, it is the recommendation of this office that Mr. Clark's

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workers' disability compensation case be redeemed in the amount of $7,750.00.

Respectfully submitted,

STEPHEN R. SAWYER,
City Attorney.

By COUNCILMAN GUNTHER—

That we concur in the recommendation of the City Attorney and said disability compensation case be redeemed in the amount of $7,750.00.

Carried.

November 5, 1981

President Lucile Belen and
Members of City Council

Re: Franklin Allen v City of Lansing
Redemption of Liability in a Workers' Compensation Disability Matter
in the Amount of $2,500.00

Dear President Belen and Members of City Council:

In accordance with Article 0, Chapter 3, Section 4-307.4 of the Lansing City Charter, this office presents its recommendation for redemption of the above captioned matter in the amount of $2,500.

Mr. Allen was a seasonal employee employed by the Public Service Department in the Refuse Division. His job required him to pick up trash bags. On April 20, 1978, Mr. Allen sustained a low back strain while picking up refuse bags. The City paid him compensation for two days and he was discharged per agreement on April 27, 1979. He continued to treat with Dr. Silva for a brief period of time thereafter for continuing low back pain. Mr. Allen was rehired on January 15, 1979 and discharged April 27, 1979 by the Public Service Department in the same capacity and sustained another injury to the low back area. He was paid compensation benefits for the period March 6, through March 19, 1979. Mr. Allen worked for approximately one month thereafter but continued to experience back pain.

Mr. Allen filed a Petition for workers' disability compensation benefits alleging continuing back problems as a result of his injuries sustained while working for the City of Lansing. Medical depositions of Dr. Silva and Dr. Hankinson were taken. Dr. Silva concluded that Mr. Allen's back problems were caused by scoliosis and not work related while Dr. Handinson indicated that the condition may be work related but also noted that Mr. Allen was suffering from scoliosis (a lateral curvature of the spine).

At the time of trial, this office entered into negotiations for settlement of Mr. Allen's claim. The accrued compensation totalled approximately $19,000. Additionally, had Mr. Allen prevailed the City would be responsible for reasonable and necessary medical care and vocational rehabilitation costs. Although the medical testimony is not strongly supportive of Mr. Allen's complaint, there does remain the possibility that he would prevail at the time of trial based on his history and the testimony of Dr. Hankinson. This office therefore offered to redeem the case for the sum of $2,500.

In view of the outstanding exposure it is the recommendation of this office that the redemption of Mr. Allen's claim in the amount of $2,500 be approved.

Respectfully submitted,

STEPHEN R. SAWYER,
City Attorney.

By COUNCILMAN GUNTHER—

That we concur in the recommendation of the City Attorney and said case be appjroved in the amount of $2,500.00.

Carried.

November 5, 1981

Mayor Gerald W. Graves,
Council President Lucile Belen
and City Council Members

Re: Hollister Building
EDC Project

Dear Mayor Graves and City Council Members:

At a special meeting of the Lansing Economic Development Corporation Board of Directors, held on October 21, 1981, by a vote of 7 yeas, 0 nays, 2 abstentions, the Board of Directors approved the Supplemental Resolution of Inducement, Designation of Project Area and Designation of Bond Counsel (attached).

At their regularly scheduled monthly meeting held on November 4, 1981, the Board of Directors approved a resolution Clarifying Amendment to Supplemental Resolution of Inducement by a vote of 7 yeas, 0 nays and 1 abstention (attached).

Sincerely yours,

EMERSON B. OHL,
Executive Director.

Referred to Mayor, Committee on Economic Development.

November 5, 1981

Mayor Gerald W. Graves,
Council President Lucile Belen
and City Council Members

Re: Bauch Building
EDC Project

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Dear Maqyor Graves and City Council Members:

At a regular scheduled monthly meeting held on November 4, 1981, the Lansing Economic Development Corporation Board of Directors approved a Resolution Approving Modified Project Plan (attached).

Sincerely yours,

EMERSON B. OHL,
Executive Director.

Referred to Mayor, Committee on Economic Development.

November 5, 1981

Mayor Gerald W. Graves,
Council President Lucile Belen
and City Council Members

Re: Dart Energy Center—Commercial Space Project
EDC Project

Dear Mayor Graves and City Council Members:

At a regular scheduled monthly meeting held on November 4, 1981, the Lansing Economic Development Corporation Board of Directors approved a Resolution Recommending Project Plan for the Dart Energy Center—Commercial Space Project (see attached).

Sincerely yours,

EMERSON B. OHL,
Executive Director.

Referred to Mayor, Committee on Economic Development.

November 5, 1981

Mayor Gerald W. Graves,
Council President Lucile Belen
and City Council Members

Re: Dart Energy Center—Subgrade
Re: Parking Project
EDC Project

Dear Mayor Graves and City Council Members:

At a regular scheduled monthly meeting held on November 4, 1981, the Lansing Economic Development Corporation Board of Directors approved a Reslution Recommending Project Plan for the Dart Energy Center—Subgrade Parking Project (see attached).

Sincerely yours,

EMERSON B. OHL,
Executive Director.

Referred to Mayor, Committee on Economic Development.

November 5, 1981

Mayor Gerald W. Graves,
Council President Lucile Belen
and City Council Members

Re: Dart Energy Center—Corporate
Re: Headquarters Project
EDC Project

Dear Mayor Graves and City Council Members:

At a regular scheduled monthly meeting held on November 4, 1981, the Lansing Economic Development Corporation Board of Directors approved a Resolution Recommending Project Plan for the Dart Energy Center—Corporate Headquarters Project (see attached).

Sincerely yours,

EMERSON B. OHL,
Executive Director.

Referred to Mayor, Committee on Economic Development.

November 5, 1981

Mayor Gerald W. Graves,
Council President Lucile Belen
and City Council Members

Re: Dart Energy Center—Office Space Project
EDC Project

Dear Mayor Graves and City Council Members:

At a regular scheduled monthly meeting held on November 4, 1981, the Lansing Economic Development Corporation Board of Directors approved a Resolution Recommending Project Plan for the Dart Energy Center—Office Space (5 Floors) Project (see attached).

Sincerely yours,

EMERSON B. OHL,
Executive Director.

Referred to Mayor, Committee on Economic Development.

DATE: 11/4/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Submission of attached correspondence from the City Controller. Re: CETA Interim Monitoring Audit—Arts Council Center

The attached correspondence is submitted for your information.

GERALD W. GRAVES,
Mayor.

Received and placed on file.

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DATE: 11/4/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Submission of attached correspondence from the City Controller Re: CETA Monitoring Audit of National Council on Alcoholism

The attached correspondence is submitted for your information.

GERALD W. GRAVES,
Mayor.

Received and placed on file.

November 4, 1981

Council President Lucile Belen and
Members of the Lansing City Council

10th Floor, City Hall

Lansing, Michigan 48933

Dear Council President and Members:

Please be advised that the opening of the new section of street which links East High Street/Lake Lansing Road with U.S. 27 (Larch Street) took place on Wednesday, November 4, 1981.

The street construction is part of an overall comprehensive development plan for Lansing's northside. The $8.5 million plan includes street construction, sewer work, and a major housing rehabilitation effort. The total project combined Federal, State and local and private investment dollars.

When opened, the one-half mile street is expected to carry between 8,000 and 10,000 cars per day and will greatly reduce through traffic on the residential portion of N. High Street. Internal circulation for the Motor Wheel Corporation will also be improved since motorists will be diverted off of McKinley Street and onto the new connector.

The street will also provide improved access for Motor Wheel onto U.S. 27. In February of this year Motor Wheel announced its plans for a $42.3 million modernization of its local manufacturing facility.

The completion of this project and other phases of the Motor Wheel Area plan shows a strong commitment by the City of Lansing to the northside neighborhood and to Motor Wheel Corporation which employs over 1,500 persons. In these hard economic times, job retention is critical and projects such as this prove that Lansing is working aggressively to create a climate which encourages economic investment and improves neighborhoods.

The key to the project was cooperation; many hours of meetings with citizens, local, State and Federal agencies, and representatives from Motor Wheel have made this project a reality. The neighborhood, Motor Wheel and the City of Lansing as a whole will benefit.

The street will officially be open to traffic on Thursday, November 5, 1981. A traffic signal will be placed at the intersection of the new street with U.S. 27 in the near future.

Sincerely,

GERALD W. GRAVES,
Mayor.

Received and placed on file.

DATE: 11/4/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Submission of attached correspondence from the City Controller Re: Administrative Actions.

The attached correspondence is submitted for your information.

GERALD W. GRAVES,
Mayor.

Received and placed on file.

November 5, 1981

Council President Lucile Belen and
Members of the Lansing City Council

10th Floor, City Hall

Lansing, Michigan 48933

Dear Council President and Members:

For your consideration and confirmation, I am submittting to you the names of Michael Haley and Gary Weston to serve as Temporary Directors on the Dart Energy Project—Econmic Development Corporation.

These two individuals are currently serving as Temporary Directors on other EDC projects.

Trusting this recommendation meets with your approval, I remain

Sincerely,

GERALD W. GRAVES,
Mayor.

Referred to Committee on Econmic Development.

November 5, 1981

Council President Lucile Belen and
Members of the Lansing City Council

10th Floor, City Hall

Lansing, Michigan 48933

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Dear Council President and Members:

On Tuesday, November 3, 1981, the electorate approved a millage increase for the Capital Area Transportation Authority, which will raise the December property tax payments for all property owners in the City. As a result, the CATA Board agreed, on November 4, to a pay-back payment to the City of Lansing for funds appropriated for the current Fiscal Year, and as follows:

—The $200,000 due for payment to CATA by the City will **not** have to be paid; and

—The City will receive, as of February 1, 1982, a repayment of part of the funds already allocated to CATA, this amount to be $100,000.

The aforementioned $300,000 will be deposited in the General Fund for City use in the Fiscal Year 1982-83.

Sincerely,

GERALD W. GRAVES,
Mayor.

Received and placed on file.

November 5, 1981

Council President Lucile Belen and
Members of the Lansing City Council

10th Floor, City Hall

Lansing, Michigan 48933

Dear Council President and Members:

This is to advise of the **very positive developments** underway regarding the DART ENERGY CENTER, a facility to be located at the Northwest Corner of North Washington Mall and Ottawa Street.

Originally, and as late as July 1, 1981, the developer estimated its "capital investments in basic structures and improvements for the project will be between $7,500,000 and $10,000,000." Since that date, the DART ENERGY CORPORATION has selected an architectural firm and **substantially increased the estimated cost of the project.**

In a communication delivered to me, date of November 4, 1981, William R. Ralls, General Counsel for DART ENERGY CORPORATION, advised that the new facility will approximate $28,000,000, plus, in costs, and will consist of 22 floors above grade level, and an additional 2 levels below grade for parking. The projected use and estimated costs of such uses are as follows:

—2 levels of **parking** below ground at a cost of $5,000,000;

—3 levels above grade for **commercial purposes** at a cost of $5,000,000;

—5 levels of **office** (45,000 square feet) at a cost of $5,000,000;

—9 levels of **office** for DART ENERGY CORPORATION (80,000 square feet) at a cost of $10,000,000; and

—5 levels of **residential,** the costs of which are not projected, but may reach another $3,000,000.

The DART ENERGY CENTER can be expected to provide 208 permanent jobs, and 175 construction jobs, per the following recap:

The subgrade **Parking Facility** is expected to provide **25 construction employees,** and **8 permanent employees.**

The **Commercial Space** is expected to provide **50 construction employees** and **50 permanent employees.**

The **Office Space** is expected to provide **50 construction employees** and **50 permanent employees.**

The **Corporate Offices** are expected to provide **50 construction employees** and **100 permanent employees.**

The aforementioned **does not** include the detail for the 5 floors of Residential Housing.

As you are aware, the DART ENERGY CENTER will be the National Headqquarters for the DART ENERGY CORPORATION. Construction is anticipated to commence in early 1982. Therefore, I request your **immediate attention** to the Project Plan, when it is submitted to you. Timing is of utmost importance.

Thomas J. Dart has expressed his strong belief in the City of Lansing, and especially the Downtown. I humbly ask that you do everything possible toward the project so that he can always retain that faith.

Sincerely,

GERALD W. GRAVES,
Mayor.

Received and placed on file.

November 5, 1981

Council President Lucile Belen and
Members of the Lansing City Council

10th Floor, City Hall

Lansing, Michigan 48933

Dear Council President and Members:

Several weeks ago, members of City Council received correspondence from the Friends of the Zoo Society recommending two uses of the funds collected from the parking fee at Potter Park. In summary, the Zoo Society recommended enclosing the duck pond overlook to develop a year-round environmental education building, and also recommended that a professional consultant be hired to prepare master plans for future development of the zoo.

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Parks and Recreation staff have reviewed these recommendations along with the Parks Board, with full support. I concur in both these projects, recofnizing the great success the Zoo Society has had in receiving donations, bringing together volunteers, and making projects happen inexpensively that could not be justified in the City's budget. It is, therefore, my recommendation that City Council authorize the City of Lansing to enter into a contract with the Zoo Society for construction of the enclosed classroom using funds from the parking fee. Further, I agree with the need for a master plan, which has not been looked at for future Potter Park development since the majority of the buildings were completed in the 1930's.

The City Controller has prepared a summary of revenues, expenses and net income for the parking fee from its inception in mid-1980 through the end of operations September 30, 1981. That indicates nearly $48,000 available for capital improvements to be approved by City Council.

At this time, this is one of the largest unappropriated sources of funds in the City of Lansing. When the parking fee was established, City Council restricted these funds for capital improvements to Potter Park. I believe this was a reasonable consideration at that time, but I am no longer able to fully support this restriction when general funds are so obviously strapped. Therefore, I also wish to recommend that City Council review the parameters for use of this money to consider whether these should be broadened in any way to benefit the entire parks system. I believe that little purpose is served to collect sizable amounts of revenue committed for one park when needs of other parks enjoyed equally by the community are set aside due to an economic crunch. This is not an action I recommend hastily, but after much thought, I see no reasonable alternative.

Sincerely,

GERALD W. GRAVES,
Mayor.

Referred to Committee on Public Property and Safety.

DATE: 11/5/81

TO: Council President and Members of the Lansing City Council

FROM: Gerald W. Graves, Mayor

SUBJECT: Request to burn leaves

Attached is a communication from the Fire Marshal pertaning to your recent questions regarding the above matter.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Public Property and Safety.

## RESOLUTIONS

By ECONOMIC DEVELOPMENT COMMITTEE—

Resolved by the City Council of the City of Lansing:

Whereas, Mayor Graves has submitted the names of Michael Haley and Gary Weston in appointment as temporary Directors of the Economic Development Corporation of the City of Lansing for the Dart Energy Corporation projects; and

Whereas, this Council finds these persons to be representative of neighborhood residents and business interests likely to be affected by the Facility;

Now, Threfore, Be It Resolved that the City Council of the City of Lansing hereby confirms the appointment of Michael Haley and Gary Weston as temporary Directors of the Economic Development Corporation of the City of Lansing.

Adopted by the following vote:

Unanimously.

By ECONOMIC DEVELOPMENT COMMITTEE—

Resolved by the City Council of the City of Lansing:

Whereas, by petition duly filed on October 1, 1981, this Council was petitioned to establish a Lansing Commercial Redevelopment District CRD-8-81, pursuant to Public Act 255 of 1978; and

Whereas, due notice has been given for a public hearing on said petition; and

Whereas, at such hearing held on the 26th day of October, 1981, all parties interested therein were heard and given due consideration; and

Whereas, the property involved is commonly known as 5015 S. Cedar Street, more particularly described as:

Commencing in the Section line at a point 571 feet West of the SE corner of Section 33, T4N, R2W, City of Lansing, Ingham County, Michigan. Thence West 431.5 feet along the Section Line, thence North 0° 50′ W 200 feet, thence West 270 feet thence North 0° 50′ W 416.5 feet, thence South 89° 34′ E 706.6 feet, thence South 0° 20′ E 611.2 feet to the point of beginning.

Whereas, after considering all the testimony presented to this Council, this Council has determined that the proposed District is zoned for commercial uses and has been so zoned for three years prior to the effective date of P.A. 255 and is characterized by obsolete commercial property and a decline in commercial activity.

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Now, Therefore, Be It Resolved that the Council of the City of Lansing hereby establishes a Lansing Commercial Redevelopment District CRD-8-81 at the above described property.

Adopted by the following vote:

Yeas: Councilmen Belen, Brenke, Gunther, Lindemann, McKane, Worthington—6.

Nays: Councilman Blair—1.

By ECONOMIC DEVELOPMENT COMMITTEE—

Resolved by the City Council of the City of Lansing:

Whereas, by petition duly filed on October 1, 1981, this Council was petitioned to establish a Lansing Commercial Redevelopment District, CRD-10-81, pursuant to Public Act 255 of 1978; and

Whereas, due notice has been given for a public hearing on said petition; and

Whereas, at such hearing held on the 9th day of November, 1981, all parties interested therein were heard and given due consideration; and

Whereas, the property involved is commonly known as the Frandor Shopping Center, more particularly described as:

That part of the West ½ of East ½ of Northeast ¼ and the West ½ of East ½ of East ½ of Northeast ¼ of Section 14, T4N, R2W, City of Lansing, Ingham County, Michigan, commencing at the Northeast corner of said Section 14, thence N 89° 42′ W 327.6 feet on the section line; thence S 0° 15′ W 67.47 feet to the point of beginning on the Southerly right of way line of Saginaw Street; thence along said right of way N 81° 47′ W 153.98 feet and N 89° 31′ W 828.83 feet to the centerline of Clippert Street; thence on the centerline of Clippert Street S 0° 17′ W 1689.22 feet to a point 850.0 feet North of the North line of Michigan Avenue extended East, thence S 89° 50′ E 981.8 feet parallel with Michigan Avenue to the West line of East ¼ of East ½ of Northeast ¼ of said Section 14; thence N 0° 15′ E 1663.0 feet to the point of beginning, also a driveway easement 70 feet in width line on the West side of East property line as projected South and extending from South property line Southerly 850 feet to Michigan Avenue, also subject to the rights of way of record.

Whereas, after considering all the testimony presented to this Council, this Council has determined that the proposed District is zoned for commedcial uses and has been so zoned for three years prior to the effective date of P.A. 255 and is characterized by obsolete commercial property and a decline in commercial activity.

Now, Therefore, Be It Resolved that the Council of the City of Lansing hereby establishes a Lansing Commercial Redevelopment District CRD-10-81 at the above described property.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PHYSICAL DEVELOPMENT—

Resolved by the City Council of the City of Lansing:

Whereas, the U. S. Department of Housing and Urban Development has requested that the City of Lansing close out the First and Second year funds of the Community Development Block Grant Program for reprogramming into other years;

Whereas, the Lansing Planning Board, at their meetting on October 20, 1981, recommended that the First and Second Year Community Development Project Activities Closeout be approved;

Whereas, the Mayor on October 26, 1981, recommended the approval of the project activities close-out;

Now, Therefore, Be It Resolved that the City Council approve the First and Second Year Community Development Project Activities Closeout with the following reprogramming activities:

Item No. 1—All remaining funds in the second year NDA No. 1 rehabilitation, acquisition, demolition and relocation accounts will be moved to the same activities in the 7th year. These funds will be used to complete work currently in progress. Once that work has been completed, whatever remains will lapse into contingency.

Item No. 2—All remaining funds in NDA No. 1 public improvement accounts will be moved into a consolidated NDA No. 1 public improvement account in the 7th year. As the one or two remaining activities are completed, whatever remains will lapse into contingency.

Item No. 3—All remaining funds in the NSA No. 1 rodent control second year account will be moved into public improvements in NSA No. 1, in the 7th year.

Item No. 4—All remaining funds in rehabilitation, acquisition and demolition accounts in NDA No. 2 from the second year will be moved into the same activities in the 7th year.

Item No. 5—All remaining funds from various public improvement second year activities in NDA No. 2 will be moved into public improvements in the 7th year in NDA No. 2, and the remaining funds from circulation improvements for Woodman Pathway will be moved into

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the already approved Woodman Pathway activity in the 7th year.

Item No. 6—All remaining funds in rodent control for NSA No. 2 will be moved from the second year into the 7th year NSA No. 2 public improvements account.

Item No. 7—All remaining funds in the commercial public improvements, senior citizens center, second year contingency, Holly Park, Kingsley Development and first year contingency will be moved into two 7th year activities. $30,000 will be moved into the already eligible Foster Community Center activity and the remaining amount will be moved into Coachlight Park Development.

Now, Be It Further Resolved, that the City Council direct the Mayor to sign the proper documents after satisfactory review for submission to the Detroit Area Office of the United States Department of Housing and Urban Development.

Adopted by the following vote:

Unanimously.

By COUNCILMAN WORTHINGTON—

Resolved by the City Council of the City of Lansing:

SJ-2-81

1010 East Jolly Road

Whereas, pursuant to Section 36-41 (9) (A) of the Zoning Code, being Chapter 36 of the Code of the City of Lansing, Mr. Robert J. Sillaway, representting Action Auto Trim, has requested permission to erect one (1) four by four feet (4 x 4') non-illuminated sign within the "J" Parking District upon the premises commonly known as 1010 East Jolly Road, more particularly described as:

Parcel No. 3305-03-126-111

Commencing on the north section line 157.75 feet east of the north ⅛ post of the northwest ¼ of Section 3, T3N, R2W, City of Lansing, Ingham County, Michigan; thence south 165 feet; thence east 80 feet; thence north 165 feet; thence west 80 feet to the point of beginning;

and

Whereas, the Planning Department has reviewed the proposed location of said sign and recommends approval; and

Whereas, the Physical Development Committee of the City Council, to whom the report of the Planning Department was referred, concurs therewith;

Now, Therefore, Be It Resolved that the Council of the City of Lansing hereby approves the erection in the "J" Parking District of one four feet by four feet (4' x 4') non-illuminated sign, to be mounted on two wolmanized poles, buried four feet (4) in concrete, to be located no closer than two (2) feet to any property line, upon the above described premises, subject to the condition that the existing sign be removed from the East Jolly Road right-of-way; and

Be It Further Resolved that the City Clerk be, and she is hereby, directed to notify the petitioner of this action and the conditions thereof.

Adopted by the following vote:

Unanimously.

By COUNCILMAN WORTHINGTON—

Resolved by the City Council of the City of Lansing:

SJ-1-81

4600 North Grand River Avenue

Whereas, pursuant to Section 36-41 (9) (a) of the Zoning Code, being Chapter 36 of the Code of thet City of Lansing, Mr. J. Alan Gross, representing the Central Advertising Company, has requested permission to erect a four feet by six feet (4 x 6') double face, internally illuminated sign within the "J" Parking District upon the premises commonly known as 4600 North Grand River Avenue, more particularly described as:

Parcel No. 3301-06-126-042

Commencing at a point on the center line of North Grand River Avenue, 154 feet west of the north and south ¼ line of Section 6; thence north parallel to the ¼ line to the north line of Section 6; thence west on said line 110 feet more or less; thence south 00° 44' west to the center line of said street; thence southeasterly on the center line 112.7 feet to beginning; Section 6, T4N, R2W, City of Lansing, Ingham County, Michigan;

and

Whereas, the Planning Department has reviewed the location of the proposed sign and recommends approval; and

Whereas, the Physical Development Committee of the City Council, to whom the report of the Planning Department was referred, concurs therewith;

Now, Therefore, Be It Resolved that the Council of the City of Lansing hereby approves the erection in the "J" Parking District of our four feet by six feet (4' x 6') double face, internally illuminated sign, to be mounted on a fourteen feet (14') pole, and to be located four feet (4') north of the south property line approximately in the center of the east/west build-

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ing line upon the above described premises, subject to the condition that the existing sign be removed from the Grand River Avenue right-of-way; and

Be It Further Resolved that the City Clerk be, and she is hereby, directed to notify the petitioner of this action and the conditions thereof.

Adopted by the following vote:

Unanimously.

By COUNCILMAN WORTHINGTON—

Resolved by the City Council of the City of Lansing:

SUP-7-81

3000 Block of Ruth Avenue (east side)

Wheresa, pursuant to the City of Lansing Flood Plain Control Ordinance, being Article V of Chapter 36 of the Code of the City of Lansing, Mr. Roy C. Markey has requested a special permit to allow the construction of five (5) duplexes on vacant land in the 3000 block of Ruth Avenue (east side) described as:

Parcel No. 3301-27-428-061, 071, 081

Lots 37, 38, and 39, Goodhome Subdivision, City of Lansing, Ingham County, Michigan;

within the base (100 year) flood plain of the Sycamore Creek; and

Whereas, the Planning Board, at their meeting of October 20, 1981, found the proposed construction to be in asubstantial conformance with the rules and regulations of the National Flood Insurance Program, the City of Lansing Flood Plain Control Ordinance and the State of Michigan Flood Plain Control Act, and recommended approval thereof; and

Whereas, the Physical Development Committee of the City Council, to whom the report of the Planning Board was referred, concurred therewith;

Now, Therefore, Be It Resolved that the Council of the City of Lansing hereby ordains that special use permit number 7 of 1981 to allow the construction of five (5) duplexes on the above described premises within the base flood plain of the Sycamore Creek be approved; and

Be It Further Resolved that this approval is subject to the following conditions:

1) All construction shall be in accord with the rules and regulations of the National Flood Insurance Program, the State of Michigan Flood Plain Control Act, and the City of Lansing Flood Plain Control Ordinance.

2) The requirements of the public utilities and other responding agencies shall be met.

3) No construction shall occur until and unless the State of Michigan Department of Natural Resources has issued a permit to alter or occupy the flood plain;

and

Be It Finally Resolved that the City Clerk be, and she is hereby, directed to notify the petitioner of this action and the conditions thereof.

Adopted by the following vote:

Unanimously.

By COUNCILMAN WORTHINGTON—

Resolved by the City Council of the City of Lansing:

SUP-9-81

Frandor Shopping Center

Whereas, pursuant to the City of Lansing Flood Plain Control Ordinance, being Article V of Chapter 36 of the Code of the City of Lansing, Mr. James D. Parish, President of the Parish Company, Incorporated, has requested a special permit to allow the construction of a retail building within the base (100 year) flood plain of the Red Cedar River in the Frandor Shopping Center on land described as:

Commencing at the northeast corner of Section 14, T4N, R2W; thence west 1308.87 feet on the north line of said Section 14, to its intersection with the center line of Clippert Street; thence south 00° 17′ 00″ west 1733.05 feet on the center line of Clippert Street to the point of beginning; thence north 00° 17′ 00″ east 387.10 feet on the center line of Clippert Street; thence south 89° 50′ 39″ east 441.15 feet; thence south 00° 17′ 11″ west 387.17 feet; thence north 89° 50′ 00″ west 441.13 feet on the north line of the Sears, Roebuck and Company parcel to the point of beginning; City of Lansing, Ingham County, Michigan;

and

Whereas, the Planning Board, at their meeting of October 20, 1981, reviewed the request, found it to be in substantial conformance with the rules and regulations of the National Flood Insurance Program, the State of Michigan Flood Plain Control Act and the City of Lansing Flood Plain Control Ordinance, and recommended that the petition be approved; and

Whereas, the Physical Development Committee of the City Council, to whom the report of the Planning Board was referred, concurred therewith;

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Now, Therefore, Be It Resolved that the Council of the City of Lansing hereby ordains that Special Use Permit number 9 of 1981 to allow the construction of a retail building within the base flood plain of the Red Cedar River, upon the above described premises, be approved; and

Be It Further Resolved that this approval is subject to the following conditions:

1) The requirements of the public utilities and other responding agencies shall be met;

2) All construction shall be in accord with the rules and regulations of the National Flood Insurance Program, the State of Michigan Flood Plain Control Act, the City of Lansing Flood Plain Control Ordinance; and the minimum requirements of the "F" Commercial District; and

3) No construction shall occur until and unless the State of Michigan Department of Natural Resources has issued a permit to alter or occupy the flood plain;

and

Be It Finally Resolved that the City Clerk be, and she is hereby, directed to notify the petitioner of this action and the conditions thereof.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PHYSICAL DEVELOPMENT—

Resolved by the City Council of the City of Lansing:

FCF-5-81

1212 West Northrup

Whereas, in accord with the provisions of Act 28, P.A. 1977 of the State of Michigan, the Michigan Department of Social Services has referred a request by Marion and Lodia Stanley for the licensing of a Foster Family Group Home to house a maximum of five (5) foster children upon the premises known as 1212 West Northrup, more particularly described as:

Lot 106, Village Green Subdivision No. 2, City of Lansing, Ingham County, Michigan;

and

Whereas, upon reviewing the application, the Planning Department found that:

1) The proposed Foster Family Group Home would be licensed to allow the care of members of the immediate family, and

2) No other similar existing facility is located within 1500 feet of the proposed facility; and

Whereas, the Committee on Physical Development, to whom the report of the Planning Department was referred, directs the Planning Department to coordinate and conduct the necessary inspections with the Departments of Building Safety and Development and Fire Prevention to which the reports will be provided to the State of Michigan Department of Social Services and the applicant; and further recommends waiving the public hearing process and directs the Planning Department to give appropriate notification of the prposal to license the above described property;

Now, Therefore, Be It Resolved that the Council of the City of Lansing hereby waives the right to further review and comment, except in the above described ways, on the above described Foster Family Group Home, so long as only members of the immediate family are housed on the premises.

Adopted by the following vote:

Unanimously.

## PUBLIC IMPROVEMENT V

By PHYSICAL DEVELOPMENT COMMITTEE—

Resolved by the City Council of the City of Lansing:

That the supplementary special assessment roll for new sidewalks on Pershing Avenue:

Assessment Roll No. 284—

1632 Alpha Street

1700 Alpha Street

as returned by the City Assessor be and the same is hereby ratified and confirmed, and that the Mayor be and hereby is directed to affix within ten days, his warrant directing the City Treasurer to refund to all persons who have paid said tax as originally assessed the pro rata amount of difference as shown in said supplementary roll, and collect all unpaid tax as shown on said roll on or before February 9, 1982.

Adopted by the following vote:

Unanimously.

## ZONINGS

By COUNCILMAN WORTHINGTON—

Whereas, it is deemed desirable to amend the Classification provided for in the Zoning Code of the City of Lansing, passed

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on the 13th day of November, 1958, in the following particulars, viz:

That property described as:

Z-30-81—3300 Brisbane Street,

be rezoned from "A" One Family Residential District to "C" Two Family Residential District and the "Map" be changed to indicate such transfer;

Therefore, Be It Resolved, that the City Clerk shall give at least fifteen days notice of a Public Hearing when all persons interested may attend and make any objections they may have to such proposed changes in said Zoning Code.

Resolved Further, that such hearing shall be held at the Council Chamber in the City Hall on the 30th day of November, 1981, at 7:00 o'clock p.m., and that notice of such hearing be published in the official publication of said city, as required by law.

Adopted by the following vote:

Unanimously.

By COUNCILMAN WORTHINGTON—

Whereas, it is deemed desirable to amend the Classification provided for in the Zoning Code of the City of Lansing, passed on the 13th day of November, 1958, in the following particulars, viz:

That property described as:

Z-26-81—406 Fenton Street,

be rezoned from "A" One Family Residential District to "F" Commercial District and the "Map" be changed to indicate such transfer;

Therefore, Be It Resolved, that the City Clerk shall give at least fifteen days notice of a Public Hearing when all persons interested may attend and make any objections they may have to such proposed changes in said Zoning Code.

Resolved Further, that such hearing shall be held at the Council Chamber in the City Hall on the 30th day of November, 1981, at 7:00 o'clock p.m., and that notice of such hearing be published in the official publication of said city, as required by law.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON WAYS AND MEANS—

Resolved by the City Council of the City of Lansing:

Whereas, the City Charter requires the City Council to adopt an annual statement of City-wide budget policies and priorities; and

Whereas, the Mayor and Director of Finance have reported the current and projected fiscal position of the City, concluding that revenue growth has slowed, with some sources such as income tax, state and federal revenue actually declining; and

Whereas, the unappropriated fund balance is now too low to balance a General Fund budget with the same deficit between revenues and expenditures as the current budget; and

Whereas, the Mayor has recommended a budget planning effort that includes cutbacks in programs and personnel;

Now, Therefore, Be It Resolved, the Lansing City Council hereby establishes the following policies and recommendations for development of the fiscal year 1982-83 General Fund budget:

POLICIES:

1) That the basic City-wide priorities adopted last year (attached) be reaffirmed.

2) That the Administration be requested to present a budget, or at least an alternate budget, that requires **no increase** in property tax rate. This policy assumes no change in the assessment formula established by the State Legislature.

3) That all operations, both administrative and elective, participate cooperatively in making essential expenditure reductions; and that such reductions reflect the least possible adverse impact on City services while aggressively pursuing in-house consolidations, reorganization, alternative methods, and interdepartmental cooperation.

4) That negotiations with City bargaining units be conducted honestly and cooperatively on the basis of mutual understanding, mutual respect, and mutual goals. We are all aware that high percentage settlements will further reduce our ability to fund current programs and may increase the need to reduce staff. If attrition and reorganization do not sufficiently reduce expenditures by the time of budget adoption in May 1982, layoffs may result. The City and the employees represented by the various bargaining units must each bear their share of responsibility, including the elimination of inefficient methods and duplication of efforts. Cooperation is the key to success for the City, residents and staff.

RECOMMENDATIONS:

1) It is recommended that every position vacancy be examined for possible consolidation of function, reclassification, or any other steps that support attrition

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as an alternative to layoffs in reducing expenses. This proces should be part of the Moratorium Committee's onging respnsibility as of now.

2) It is recommended that all work centers attempt to place student interns from Lansing Community College, Michigan State University and any other schools desiring to participate. In this way, the resources of our academic community will be tapped and working liaisons will be established.

3) The Exceptional Performance Awards recommended in the Hay Associates' Report and adopted by the City Council in 1978, should be used to reward employees who suggest alternative methods that produce substantial asavings in the annual budget. An awards committee should be established by the Mayor to assess suggestions and recommend awards.

Adopted by the following vote:

Yeas: Councilmen Belen, Brenke, Gunther, Lindemann, McKane, Worthington—6

Nays: Councilman Blair—1.

By WAYS AND MEANS COMMITTEE—

Resolved by the City Council of the City of Lansing:

That the following transfers be approved:

$ 4,200.00 from Salaries and Longevity Data Processing—Admin. Services
A/C 101-221-000-702

$ 4,200.00 to Temp. Help Data Processing—Admin. Services
A/C 101-221-000-707

$ 800.00 from General Fund Estimated Revenue
A/C 101-000-000-160

$ 800.00 to Police Citizen's Contributions
A/C 101-305-000-956

$ 7,615.00 from Police Central Records Misc. & Operating Expenses
A/C 101-308-000-741

$ 7,615.00 to Police Central Records Equip.
A/C 101-308-000-977

$ 200.00 from General Fund Estimated Revenues
A/C 101-000-000-160

$ 200.00 to Fire—Citizens Contributions
A/C 101-337-000-956

$ 2,898.00 from Northrup Park
A/C 101-936-073-974

7,347.00 from S. Washington Park Rd.
A/C 101-936-720-974

17,488.00 from Gas Tank—Plblic Service
A/C 101-936-536-974

10,000.00 from No. 1 Station Floor
A/C 101-936-338-976

12,267.00 from Reserve for Contingency
A/C 101-941-000-963

$ 50,000.00 to Aurelius Rd. Landfill
A/C 101-936-104-974

$ 5,348.00 from Plant Improvements—City Match
A/C 590-536-614-974

$ 5,348.00 to Contractual Services
A/C 590-536-614-801

$207,205.00 from 201 Facilities Plan
A/C 590-536-612-974

$198,205.00 to 201 Facilities Plan—Design
A/C 590-536-612-801

9,000.00 to 201 Facilities Plan—S.S.E.S. Segment T.V. Inspection
A/C 590-536-612-801.010

I hereby certify that this is a properly drawn and eligible transfer.

JAMES W. DOWSETT,
Finance Director.

Approved:

TERRY J. McKANE,
WILLIAM A. BRENKE,
JACK D. GUNTHER,
Ways and Means Committee.

By COUNCILMAN McKANE—

That the transfer of funds in the amount of $7,615.00 be removed from the resolution until further information can be obtained.

Carried.

The balance of the transfers were adopted by the following vote:

Unanimously.

By COUNCILMAN GUNTHER—

Resolved by the City Council of the City of Lansing:

That Councilman Adado be excused from the session.

Carried.

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## REMARKS BY THE MAYOR'S EXECUTIVE ASSISTANT

Mr. Black remarked about closing of City Hall on Wednesday, November 11th; trash pick-up for that day to be November 18th and parade to be held on November 11th at 8:00 p.m.

## REMARKS BY THE CITY COUNCIL

Councilman Blair asked Administration to have someone from Police Department at Public Properties and Safety Committee meeting on Tuesday, November 10th, to apprise Committee as to what is being done on Westside relative to recent murder.

Albert VanDuzer, 2612 Dunlap, spoke relative CATA proposal.

Joel Ferguson, 342 Sandhurst, spoke.

John Carlson, 2608 Victor, spoke relative traffic ticket he received.

By COUNCILMAN BELEN—

That this meeting stand adjourned.

Carried.

Council adjourned at 8:02 p.m.

THEO FULTON,
City Clerk.

Lansing, Michigan

November 9, 1981

F

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CITY CLERK'S OFFICE
Room 921, City Hall
Lansing, Michigan 48933

Address Correction Requested

BULK RATE
U. S. POSTAGE
PAID
Permit No. 1461
Lansing, Michigan



# OFFICIAL PROCEEDINGS OF
# THE CITY COUNCIL
## OF THE CITY OF LANSING

## Proceedings, November 16, 1981

CITY COUNCIL ROOMS
Lansing, Michigan
November 16, 1981

The City Council of the City of Lansing, Michigan, met in regular session and was called to order by President Belen.

Present: Councilmen Belen, Blair, Brenke, Gunther, Lindemann, McKane, Worthington—7.

Absent: Councilman Adado—1.

The Clerk announced that a quorum of the Council was present.

Invocation was given by Councilman Gunther.

Pledge of Allegiance was led by Councilman Gunther.

By COUNCILMAN BRENKE—

That the council proceedings of October 12, 19 and 26, 1981 be approved.

Carried.

HEARING ON PROPOSED CHANGE IN ZONING CLASSIFICATION

November 16, 1981, at 7:00 o'clock being the time set as the time for holding a hearing on the proposed changes in the Classifications as provided for in the Zoning Code which was passed by the City Council on November 13, 1958, said proposed amendment being as follows:

That the property described as:

Z-46-78 — S.W. corner of Coleman Rd. and Wood St.,

be rezoned from "A" One Family Residential District to "I" Heavy Industrial District.

The Council President aoonunced that if there was anyone present who had any suggestions or objections to make to the proposed amendment(s) to the Classifications provided for in the Zoning Code he had the privilege of speaking at this time.

Richard Robinson, Attorney for DeWitt Twp., spoke.

Referred to Committee on Physical Development.

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The Public Hearing on SUP-17-78—S.W. corner of Coleman Rd and Wood Street was postponed because of error—will be reset for November 30, 1981 or December 7, 1981.

**THE PUBLIC MAY NOW ADDRESS THE CITY COUNCIL ON ANY OF THE FOLLOWING ITEMS LISTED ON THE AGENDA: COMMUNICATIONS AND PETITIONS, COMMITTEE REPORTS, REPORTS OF CITY OFFICERS AND BOARDS, AND RESOLUTIONS. YOU MAY SPEAK ONLY FOR 3 MINUTES ON ANY ONE ITEM.**

Andon Pogoncheff spoke relative to letter from Mayor K and presented petition. Also asked they be notified when committee meetings and any other meetings are held. Notification can be given to phone 485-3401 or Washington Foods, Inc., 728 E. Grand River Ave. — phone 482-0911. He was speaking for North Town Action Committee or ACORN.

Curtis J. Daggett of Daggett Sand and Gravel, Inc., spoke and asked that his letter under Communications and petitions No. 5 be read.

Chas. Emery spoke.

## COMMUNICATIONS AND PETITIONS

The following applications and bonds have been filed for licenses:

RUBBISH HAULER —
Timothy John Ginther.

Referred to Committee on General Services.

Summons filed in Circuit Court by Gary Lee Tyler vs City of Lansing in regard to the demolition of a building located at 920 Raider St.

Referred to Mayor, City Attorney.

The following claims have been filed:

May Marsh for transportation by the Lansing Mercy Ambulance Service, Inc., to St. Lawrence Hospital.

Mrs. Alice Hannahs for injuries sustained due to fall at the Civic Center.

The Travelers Insurance Co., representing Kenneth William, John Charles Guyselman and Robert VonGruben, for damage done to their building at 107 E. Washtenaw St. when a public service crew was repairing a sewer in front of their building.

Referred to Mayor, City Attorney.

Letters from the Liquor Control Commission relative:

Submitting a request from Rounds & Sounds, Inc., to drop James J. Barret as stockholder in 1981 Class "C" licensed business with dance permit at 326 North Cedar St. through sale of his shares to existing stockholder, David W. Boyd and add George J. Moruss, Roger K. Phillips and Douglas E. Royce as new stockholders through sale of partial shares from David W. Boyd.

Referred to Mayor, Committee on General Services.

Submitting notice of a public hearing to be held on December 1, 1981, for the purpose of hearing complaints and receiving the views of the public with respect to the administration of this act.

Received and placed on file with copy to Mayor and Committee on General Services.

Letter from Curtis J. Daggett of Daggett Sand and Gravel, Inc., submitting offer to purchase property known as the Paulson Street Park.

Referred to Mayor and Planning Board.

Letter from Maner, Costerisan & Ellis, P.C., in regard to the Data Processing Division's general procedures and general systems of Internal Control.

Referred to Mayor and Committee on Ways and Means.

## MAYOR COMMENTS ON ANY ITEM ON THE AGENDA

Mayor Graves spoke on his letter e — City of Lansing's tax rate.

Agenda Item 1

## REPORTS OF COMMITTEES

The Committee on GENERAL SERVICES approves the following applications and bonds for licenses:

RUBBISH HAULER —
Timothy John Ginther.

Signed:

WILLIAM A. BRENKE,
PAT LINDEMANN,
TERRY J. McKANE,
Committee on General Services.

By COUNCILMAN BRENKE—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

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The Committee on PUBLIC PROPERTIES & SAFETY, to whom was referred the request from Horace Bradshaw to amend the City Ordinance that prohibits the burning of leaves on any lot or parcel of ground, reports as follows:

The City Fire Marshal recommends that no change be made in the ordinance and therefore, the request is denied. The Administration is requested to investigate the impact of ending the present leaf pick-up program and replacement by other bulk leaf pick-up alternatives, such as vacuuming gathered leaves at curbside. This report is requested back to the Committee on Public Properties & Safety by February 1, 1982.

Signed:

PAT LINDEMANN,
SIDNEY P. WORTHINGTON,
JAMES D. BLAIR,
Committee on Public Properties and Safety.

By COUNCILMAN LINDEMANN—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

The Committee on WAYS AND MEANS, to whom was referred the bid for purchase of police cars, reports as follows:

That the recommendation of the administration for acceptance of non-low bid be accepted.

Signed:

TERRY J. McKANE,
WILLIAM A. BRENKE,
JACK D. GUNTHER,
Committee on Ways and Means.

By COUNCILMAN McKANE—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

## REPORTS OF CITY OFFICERS AND BOARDS

November 16, 1981

To the Honorable President Lucile Belen and Members of the Lansing City Council

Re: Claim of Lewis C. Wright in the amount of $132.00.

Dear President Belen and Council Members:

The claimant requests reimbursement in the amount of $107 for damages to his automobile and $25 for loss of time and inconvenience for a total of $132 as a result of a road defect existing in the 4600 block of South Pennsylvania at approximately 7:30 a.m. on September 4, 1981. This claimant, while traveling in heavy traffic and rain, struck a series of spots in the pavement which had been cut away and temporarily filled for road resurfacing. The series of excavations in the pavement cost this claimant one wheel, one tire, and a wheel alignment.

Mr. Howard McCaffery, Director of the Public Service Department, informs this office that the area of South Pennsylvania Avenue in question had been worked on extensively by the Public Service Department on the two days preceding this incident in preparation for road resurfacing. Multiple manhole covers and frames were removed and temporarily replaced with a steel plate covered by recycled, milled asphalt. That temporary asphalt apparently became dislodged due to the heavy traffic and rain conditions existing during the hours preceding this accident. Information provided by the Public Service Department to this office tends to indicate that the Public Service Department had prior notice that the temporary patching material had become dislodged in this area of South Pennsylvania Avenue on the date in question.

MCLA 691.1403; MSA 3.996(103) provides "no governmental agency is liable for injuries or damages caused by defective highways unless the governmental agency knew, or in the exercise of reasonable diligence should have known, of the existence of the defect and had a reasonable time to repair the defect before the injury took place."

Based on the foregoing statutory provision and the facts presented by this claim, it is possible that the City of Lansing had prior notice that the temporary patching material had become dislodged in this area of South Pennsylvania Avenue on the date in question. Therefore, it is the recommendation of this office that this claim be allowed in the amount of $107.

Respectfully submitted,

ALAN P. KNOT,
(for) STEPHEN R. SAWYER,
City Attorney.

By COUNCILMAN BRENKE—

That we concur in the recommendation of the City Attorney and the City Clerk be and she is hereby authorized to make a check payable to Lewis C. Wright in the amount of $132.00.

Carried.

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November 16, 1981

To the Honorable President Lucile Belen and Members of the Lansing City Council

Re: Claim of Judy L. Wirth in the amount of $162.00.

Dear President Belen and Council Members:

The claimant requests reimbursement in the amount of $162 for damages to her automobile as a result of a road defect existing at the 4600 block of South Pennsylvania at approximately 7:30 a.m. on September 4, 1981. This claimant, while traveling in heavy traffic and rain, struck a series of spots in the pavement which had been cut away and filled with a temporary material in preparation for road resurfacing. The series of excavations in the pavement destroyed this claimant's two left tires and wheels. The claimant estimates that the hole which caused the damage is approximately three feet by three feet and six to eight inches deep.

Mr. Howard McCaffery, Director of the Public Service Department, informs this office that the area of South Pennsylvania Avenue in question had been worked on extensively by the Public Service Department on September 2 and September 3 in preparation for a road resurfacing. Multiple manhole covers and frames were removed and temporarily replaced with a steel plate covered by recycled, milled asphalt. It was that temporary patching material which apparently became dislodged. Information provided this office tends to indicate that the Public Service Department had prior notice that the temporary material had become dislodged due to heavy traffic and rain conditions.

MCLA 691.1403; MSA 3.996(103) provides "no governmental agency is liable for injuries or damages caused by defective highways unless the governmental agency knew, or, in the exercise of reasonable diligence should have known, of the existence of the defect and had a reasonable time to repair the defect before the injury took place."

Based on the foregoing statutory provision and the facts presented by this claim, it is possible that the City of Lansing had notice of the alleged defect due to the erosion of the temporary patching material. Therefore, it is the recommendation of this office that this claim in the amount of $162 be allowed.

Respectfully submitted,

ALAN P. KNOT,
(for) STEPHEN R. SAWYER,
City Attornye.

By COUNCILMAN GUNTHER—

That we concur in the recommendation of the City Attorney and the City Clerk be and she is hereby authorized to draw an order in the amount of $162.00 payable to Judy L. Wirth.

Adopted by the following vote:

Yeas: Councilmen Belen, Blair, Gunther, Lindemann, McKane, Worthington—6.

Nay: Councilman Brenke—1.

November 16, 1981

To the Honorable President Lucile Belen and Members of the Lansing City Council

Re: Claim of Lucius Hayward in the amount of $338.30.

Dear President Belen and Council Members:

This claimant requests reimbursement in the amount of $338.30 for damages to his automobile incurred when his son struck a raised manhole cover while crossing South Pennsylvania Avenue at Kendon at approximately 9:30 p.m. on September 20, 1981. The claimant indicates that his vehicle was a 1977 Oldsmobile station wagon equipped with a Reese hitch and it was that hitch which caught the manhole in question causing considerable damage to not only the hitch but the rear door of his station wagon.

Mr. Howard McCaffery, Director of the Public Service Department, informs this office that the area of South Pennsylvania Avenue in question had been undergoing construction in preparation for road resurfacing for a period of some weeks prior to this incident. The manhole in question was elevated to a height of no more than two and one-half inches and it was located in the curb lane of South Pennsylvania Avenue according to Mr. McCaffery. The area of South Pennsylvania Avenue in question was in the final preparation stage for blacktopping with manhole rings and covers in place. Mr. McCaffery indicates that the first notice the Public Service Department received concerning an allegedly tall manhole with the location in question was at 10:17 p.m. on September 20, 1981.

The Board of Water & Light concurred with this claimant's statement that the street lights were off at the intersection of Pennsylvania and Kendon on the night in question. The first notification the Board of Water & Light received that lights were out on South Pennsylvania Avenue was upon receipt of a call from the Lansing Police Department at 9:55 p.m. following this incident.

MCLA 691.1403; MSA 3.996(102) provides "each govenrmental agency having jurisdiction of any highway shall maintain that highway in reasonable repair so that it is reasonably safe and convenient for public travel."

MCLA 691.1403; MSA 3.996(103) further provides "no governmental agency is liable for injuries or damages caused by defective highways unless the governmental agency knew, or in the exercise of reasonable diligence should have known of the existence

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of the defect and had a reasonable time to repair the defect before the injury took place."

Applying the aforementioned statutory provisons to the facts presented by this claim, it is the opinion of this office that the area of South Pennsylvania Avenue in question was in a condition of reasonable repair and reasonably safe and convenient for public travel on the date in question. Additionally, it is apparent that the City of Lansing had no prior notice of any "defect" existing with the manhole cover in question on the date of this incident. Therefore, it is the recommendation of ths office that this claim be denied on the basis of governmental immunity.

Respectfully submitted,

CALVIN E. OSTERHAVEN,
(for) STEPHEN R. SAWYER,
City Attorney.

By COUNCILMAN GUNTHER—

That we concur in the recommendation of the City Attorney and the claim be denied.

Carried.

November 16, 1981

President Lucile Belen and
Members of City Council

Re: Claim of Scott H. Hisler in the amount of $200.66.

Dear President Belen and
Members of City Council:

The claimant incurred damage to the exhaust system of his automobile in the amount of $200.66 when his vehicle struck a manhole cover at the intersection of Pennsylavnia and Jolly Road September 23, 1981.

Mr. Howard McCaffery, Director of the Public Service Department, indicates that the area of Pennsylvania Avenue and Jolly Road was in the final stages of construction and prepared for road resurfacing on the date in question. He states that the manhole cover in question was at most two inches above that of the surrounding milled road surface. The Public Service Department received no prior notice of any defect existing at the area in quesiton prior to this claim being filed.

MCLA 691.1402; MSA 3.996(102) provides:

"Each governmental agency having jurisdiction over any hghway shall maintain the highway in reasonable repair so that it is reasonably safe and convenient for public travel."

MCLA 691.1403; MSA 3.996(103) further provides:

"No governmental agency is liable for injuries or damages caused by defective highways unless the governmental agency knew, or in the exercise of reasonable diligence should have known, of the existence of the defect and had a reasonable time to repair the defect before the injury took place."

Based on the foregoing statutory provisions and the facts presented by this claim, it is the opinion of this office, that the area of South Pennsylvania Avenue and Jolly Road was in a condition of reasonable repair and reasonably safe and convenient for public travel on the date in question. Additionally, it is apparent that the City of Lansing had no prior notice of any problem with the manhole cover at this location on the date in question. Therefore, it is the recommendation of this office that this claim be denied on the basis of governmental immunity.

Respectfully submitted,

ALAN P. KNOT,
(for) STEPHEN R. SAWYER,
City Attorney.

By COUNCILMAN GUNTHER—

That we concur in the recommendation of the City Attorney and the claim be dened.

Carried.

November 16, 1981

To the Honorable President Lucile Belen
and Members of the Lansing City Council

Re: Claim of Gary D. Snellenberger in the amount of $44.97.

Dear President Belen and

Council Members:

The claimant requests reimbursement in the amount of $44.97 for damages to his automobile as a result of a road defect existing in the 4600 block of South Pennsylvania Avenue at approximately 7:30 a.m. on September 3, 1981. This claimant, while traveling northbound, struck a series of spots in the pavement which had been cut away and temporarily filled with gravel in preparation for road resurfacing. The claimant indicates that the gravel material had become dislodged due to the heavy traffic and rain conditions resulting in a series of holes four to six inches deep and necessitating the replacement of one tire in the amount of this claim.

Mr. Howard McCaffery, Director of the Public Service Department, informs this office that the area of South Pennsylvania Avenue in question was being worked on extensively by the Public Service Department on September 2 and September 3 in preparation for road resurfacing. On the day preceding this incident, September 2, employees removed multiple manhole covers and frames temporarily installing a stell plate covered by gravel. That temporary gravel apparently became dislodged due to the heavy traffic and rain conditions exist-

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ing during the evening hours of September 2 and the early morning hours of September 3. The Public Service Department indicates there was some awareness of "problems" with the temporary gravel material utilized in this area of South Pennsylvania Avenue due to the heavy traffic and rain conditons both preceding and subsequent to this incident.

MCLA 691.1403; MSA 3.996(103) provides "no governmental agency is liable for injuries or damages caused by defective highways unless the governmental agency knew, or in the exercise of reasonable diligence should have known, of the existence of the defect and had a reasonable time to repair the defect before the injury took place."

Based on the foregoing statutory provision and the facts presented by this claim, it is possible that the City of Lansing had actual or constructive notice of a road defect existing in the 4600 block of South Pennsylvania Avenue on the date in question. Therefore, it is the recommendaton of this office that this claim in the amount of $44.97 be allowed.

Respectfully submitted,

CALVIN OSTERHAVEN,
(for) STEPHEN R. SAWYER,
City Attorney.

By COUNCILMAN GUNTHER—

That we concur in the recommendation of the City Attorney and the claim be allowed and the City Clerk be and she is hereby authorized to draw an order payable to Gary D. Snellenberger in the amount of $44.97.

Carried.

DATE: 11-6-81

TO: President Lucile Belen and Members, Lansing City Council

FROM: Police Chief Richard A. Gleason

SUBJECT: Parade application—Old Newsboys.

Attached is an application for a parade permit from the Old Newsboys organization, scheduled for 9:45 A.M. on Friday, December 18, 1981, which has been approved by all necessary departments.

Our personnel estimate this will cost the City a total of $95.08, which represents one Sergeant, four Police Officers and five vehicles for one hour.

This is being sent for final approval.

By COUNCILMAN GUNTHER—

That said parade permit be approved inasmuch as it has received the signatures of all the required departments.

Carried.

DATE: 11/6/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Building Safety and Development Director. Re: Grass Cutting Assessment for July 1982 Tax Roll (L-21).

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

By COUNCILMAN LINDEMANN—

That we concur in the recommendation of the Mayor and said special assessments be placed on the assessment roll.

Carried.

DATE: 11/12/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Building Safety and Development Dir. Re: Trash Removal Assessment.

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

By COUNCILMAN LINDEMANN—

That we concur in the recommendation of the Mayor and said assessments be placed on the assessment rolls.

Carried.

DATE: 11/6/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Submission of attached correspondence from the Purchasing Director and Public Service Director. Re: Emergency Purchase Order E-08161 to Capitol Excavating and Pavng for Bituminous Cold Patch Material.

The attached correspondence is submitted for your information.

GERALD W. GRAVES,
Mayor.

By COUNCILMAN GUNTHER—

That same be approved.

Carried.

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November 9, 1981

Council President Lucile Belen and
Members of the Lansing City Council

10th Floor, City Hall

Lansing, Michigan 48933

Dear Council Presdent and Members:

This is to advise that I have appointed Kay Hendershott to serve as a member of the Mayor's Police Community Relations Advisory Board.

Ms. Hendershott is head of the Career Center and Cheerleading Coach for the J.V. and Varsity at J. W. Sexton High School. She resides in the City of Lansing at 1519 W. Rundle.

This communication is forwarded for informational purposes.

Sncerely,

GERALD W. GRAVES,
Mayor.

Received and placed on file.

November 9, 1981

Council President Lucile Belen and
Members of the Lansing City Council

10th Floor, City Hall

Lansing, Michigan 48933

Dear Council President and Members:

Recently, it has come to my attention that some individuals have criticized Lansing for having too high a tax rate when compared to Saginaw, Flint, and Grand Rapids. I would agree that these cities are the most comparable to Lansing of the other cities in Michigan. I agree that Lansng's property tax rate for 1980 and 1981 has been slightly higher than any of these other communities. But that does not tell half the story.

Lansing has more police personnel, more fire personnel, and more parks than any of those other communities on a per capita basis. Lansing has reduced its fire and police personnel by less than any of those communities, and Lansing has avoided laying off general funded personnel in all departments. Lansing was the last of those cities to institute a city income tax, and Lansing has a smaller percentage of its total assessed valuation devoted to industrial and commercial property than any of the other three communities. Those cities with large industral tax base to carry the load are naturally able to have a lower poperty tax rate on all properties generally.

Let me offer some specific comparisons. Lansing, with 263 full-time firefighters, has two firefighters for every 1,000 citizens. Saginaw and Grand Rapids have about 1½ per 1,000 citizens, and Flint has just 1.2 per 1,000. All four cities have fire ratings of 3, which is a very good rating, but Lansing was most recently rated in 1980, while it has been many years since the other cities were re-rated. Considering the reductons in personnel and equipment in those cities, I might be surprised if they could keep those good ratings today. Within the last four years, Lansing provided training of paramedics to both Flint and Saginaw, which were only beginnng their paramedic services at that time.

Lansing has 273 sworn police officers, almost as many as Flint or Grand Rapids despite their much larger populations. That means Lansing has 2.1 police officers per 1,000 population. Saginaw and Flint have about 1.8 per 1,000 and Grand Rapids has less than 1.6 per 1,000. Lansing has had 911 emergency telephone service since 1978. Grand Rapids and Saginaw instituted this service just last year, and Flint doesn't have it, and doesn't plan to get it.

Last year, Lansing reduced its police force by five officers and no firefighters, all those reductions by attrition. Grand Rapids reduced its forces by seven police officers and five firefighters, again all by attrition but over twice as many reductions as Lansing. In the last two years, Saginaw has reduced its forces by 42 police officers and 15 firefighters. Last year, Flint laid off or attritioned 55 police officers and eight firefighters. These are critical reductions to the basic safety and welfare servces that cities must provide for their residents.

In garbage pick-up, only Saginaw and Flint provide service with no user fees. However, Flint last year reduced its pick-up schedule for seven months of the year to just every other week. In Grand Rapids, the bag fee is slightly lower than Lansing's, but a tag fee is assessed for bulk items, which we pick up for free. On residential snow plowing, Flint has a minimum depth requirement before doing side streets. Grand Rapids has gone through a similar study. In parks, Lansing has a greater number of parks than any other of those cities. Lansing maintans 19 acres of park property per 1,000 persons compared to just under 12 acres per 1,000 persons in Flint and Grand Rapids and just two acres in Saginaw. Not only is this a luxury for our citizens, it must be remembered that all this is property off the tax rolls.

In each of these cities, the industrial and commercial properties are carrying a heavier load of the tax base than in Lansing. For instance, in Grand Rapids, industrial/commercial represents 63% of the total. In Flint, it's 61%, while in Saginaw it's 54%. Lansing has 48% of its tax base in industrial/commercial. This might have been dferent had many years ago the two large General Motors plants on the near west side been annexed into the City instead of being in Lansing Township. Also, Lansing, unlike these other towns, has a major portion of its central business district devoted to state-owned properties, agan producing no property tax. State-owned properties, in total, would add $69,817,337 to the City's tax base, according to State figures, if this property were on the tax rolls. Further, I believe this is a sign that Lansing has a

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superior residential stock and a larger percentage of its total land area devoted to neighborhoods than these other cties, which I believe is an asset in itself for our residents.

Each of these other cities found it necessary to institute City income tax before Lansing did. Flint has had City income tax for nearly 20 years. While in good years, this brought anywhere from $25 to $30 million into the City treasury, Flint expects to receive only $17 million this year. Saginaw initiated its City income tax in 1966. While Saginaw anticipated $7.1 million this year, this is down from the $7.5 million received in 1978-79. Grand Rapids has had City n-come tax since 1967, and will take in approximately $17.4 million this year. Lansing brought in its income tax in 1969, or two years after Grand Rapids, three years after Saginaw and 10 years after Flint. Lansing's income tax has not grown much during the recent economic downturn, but its income tax has not fluctuated like a thermometer either.

Finally, I believe it is worthy of note that Lansing has the lowest base salary for its chief executive officer of any of these cities. I make $41,279, and I recommend the Elected Officers Compensation Commission earlier this year that the Mayor receive no increase — this recommendation before I had decided whether or not to seek re-election. In Flint, Mayor James Rutherford is receiving only $38,500, because he, too, has declined pay increases. However, the base salary for the Mayor's job in Flint has increased to nearly $50,000. In Saginaw, the City Manager receives $48,000, and in Grand Rapids, the City Manager receives $55,000.

AND WHAT ABOUT CRIME? The following is a quote from my message to you dated October 26, 1981:

> "The very costly Lansing Police Department is not operating without rewards to our taxpaying public. Federal Bureau of Investigation records show that Part One crimes (murder, robbery, burglary, larceny, etc.) have between 1970 and 1980 DECREASED IN LANSING BY 23.5 PERCENT. This is a completely different picture than one in the Meridian Township — Okemos area, where such crimes INCREASED BY 26.3 PERCENT BETWEEN 1974 AND 1980."

In fact, Lansing is one of the very few cities, or governmental agencies, with crime decreases from the base year of 1970. Not only does the following compare Lansing with Flint, Saginaw, and Grand Rapids regarding Crime Rate Per 1,000 Inhabitants, but it also compares Lansing to several other cities:

**CRIME RATE COMPARISON — 1980**

| | No. of Violent Crimes | No. of Property Crimes | Total Part I Crimes | Crime Rate Per 100,000 Inhabitants |
|---|---|---|---|---|
| Flint | 3,074 | 18,127 | 21,201 | 13,286 |
| Pontiac | | | 8,736 | 11,454 |
| Saginaw | 1,228 | 7,379 | 8,607 | 11,260 |
| Jackson | 460 | 3,853 | 4,313 | 10,854 |
| Detroit | 23,288 | 104,132 | 127,420 | 10,642 |
| Battle Creek | 375 | 3,161 | 3,536 | 9,955 |
| Dearborn | | | 8,086 | 8,926 |
| Grand Rapids | 1,787 | 14,398 | 16,185 | 8,912 |
| LANSING | 735 | 8,780 | 9,515 | 7,565 |

The crime statistics of the Federal Bureau of Investigation, as shown above, are revealing. For example, Flint, has 75% MORE CRIMES THAN LANSING; Pontiac has 51% MORE CRIMES THAN LANSING; Saginaw has 48% MORE CRIMES THAN LANSING; Jackson has 43% MORE CRIMES THAN LANSING; Detroit has 40% MORE CRIMES THAN LANSING; Battle Creek has 31% MORE CRIMES THAN LANSING; Dearborn has 17% MORE CRIMES THAN LANSING; AND, Grand Rapids has 17% MORE CRIMES THAN LANSING.

Lansing has had more innovative crime-fighting approaches than most other cties. The National statistics show that the approaches used by the City of Lansing and the Lansing Police Department — expensive as these approaches may be, they are providing an upfront challenge to crime and to the benefit of our residents.

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Why would anyone want Michigan's Capital Cty of Lansing to be like Saginaw? Or, Flint? Or, any other city? Certainly, we have problems, but compared to most, ours is a cherished land.

I realize, that in many campaigns for office, there are the few who make offerings, promises and statements, which are without total basis . . . or, a total picture is not presented. The result is critcism for criticism's sake. This approach is not in the best interest of a community. I resent that. IN FACT, THE UNFORTUNATE CHARGES HAVE ALREADY RESULTED IN ONE FIRM HESITATING TO FINALIZE ITS MOVE HERE, TO OUR OWN CITY.

Therefore, as Mayor, I deem it proper and necessary to clear the record, by providing, to the citizens of Lansing, an honest reply to the superfical charges recently made for political purposes — or, made from the lack of knowledge of all segments which make up this outstanding City of Lansing.

Sincerely,

GERALD W. GRAVES,
Mayor.

Received and placed on file.

November 9, 1981

Council President Lucile Belen and
Members of the Lansing City Council

10th Floor, City Hall

Lansing, Michigan 48933

Dear Council President and Members:

On August 3, 1981, City Council adopted a resolution to sell a 65-foot steel pedestrian overpass to Altman Development Company to connect the Hunter's Ridge Subdivision to Bayview Street. This was to enable school children to more directly get to the elementary school without having to travel along Waverly Road.

A value of $1,000 was established for this structure. When contact was made with Altman Development, the City addtionally required:

—approval of plans for erection of the structure

—that the city be held harmless for any future incidents which might result from use of the overpass

—that Altman Development be responsible for the future maintenance of this structure.

This third point has become an obstacle in sale of the pedestrian overpass. Altman, through its attorney, has requested that the City be responsible for maintenance of this structure. I do not believe it is a proper responsibility of the City to maintain private property owned by another corporation. Further, I believe that the City might not necessarily consider this the optimal use of the structure if it must be maintained by the City, when several street locations have been recommended in the past for overpasses. The structure was not on a street location because the steel is a higher maintenance material than the newer aluminum overpasses.

It is my recommendation that City Council amend its earlier resolution to reflect the future maintenance responsiblities for this structure, or consider an alternate method of disposition.

Sincerely,

GERALD W. GRAVES,
Mayor.

Referred to Committee on Public Properties and Safety.

November 10, 1981

Council President Lucile Belen and
Members of Lansing City Council

Lansing City Hall

Lansing, Michigan

Dear Council President Belen and
Members of City Council:

Attached please find the proposed contract for the sale of 1017 E. Grand River to Mr. Gale C. Jamsen. This proposed "Homesteading" Agreement has been reviewed and approved by the prospective purchaser and City staff.

I am, therefore, requesting that you schedule a public hearing for consideration of this agreement on December 21, 1981.

The agreement must be placed on file in the City Clerk's office for thirty days prior to the public hearing and the hearing must be advertised.

Thank you for your prompt consideration of this request.

Sincerely,

GERALD W. GRAVES,
Mayor.

By COUNCILMAN GUNTHER—

That a public hearing be set for December 21, 1981, relaitve to this.

Carried.

DATE: 11/12/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached cor-

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respondence from the Buildng Safety & Development Director. Re: Request for setting public hearing — 420 S. Pennsylvania.

The attached correspondence is forwarded with my concurrence for your action.

By COUNCILMAN GUNTHER—

That a public hearing date be set for December 7, 1981.

Carried.

DATE: Nov. 12, 1981

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Planning Board—Alan Tubbs, Sec. Re: Letter—ACT-52-81, Spring St.

The attached correspondence is forwarded with my concurrence for your acton.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Public Properties and Safety.

DATE: Nov. 12, 1981

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Planning Board, A. Tubbs, Sec. Re: Letter — SUP-8-81, 831 N. Sycamore St. Shelter Home.

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Physical Development.

November 13, 1981

Council President Lucile Belen and
Members of the Lansing City Council

10th Floor, City Hall

Lansing, Michgan 48933

Re: Z-29-81 and ACT 24-81
Ballard and Case Streets

Dear Council President and Members:

I have reviewed the unanimous recommendations from the Planning Board and the stipulations therewith on the above requests for rezoning and street vacation as petitioned by Wohlert Corporation. I wish to express my wholehearted support for these requests.

This does not mean that I can fully support each stipulation as concurred in by the Planning Board. In general, however, it is my opinion that the rezoning and street vacation requests are vital to the continued expansion of this company which currently employs approximately 300 people making equipment for automobiles and farm machinery. I have repeatedly endorsed the expansion of exsting industries in this community for it has been shown time and time again that existing businesses provide the majority job growth in any communty. Wohlert Corporation has a tradition and history associated in the North Lansing area which will continue with your support of these requests.

I wish to identify my particular concerns with the stipulations listed. The Planning Board has recommended that Wohlert be encouraged to acquire 1143 Case Street and 1105 Ballard Street at "fair market value." We all recognize that industrial growth in urbanized areas is often limited when real estate speculators block economic expansion by holding out on a very few residential properties for high prices. Rather, I believe that Wohlert Corporation should be allowed to determine which acquisitions, if any, are in its best interest. In recent years, local governments have stepped in to provide for community needs which cannot be justified from the standpoint of a private business. The future status of these two properties must be looked at in upcoming years.

I would encourage Wohlert Corporation to investigate training and employee programs offered by the Michigan Department of Commerce, but it is my judgment that this item has no bearing on the requests in hand. Wohlert Corporation's participation in such a program should not be a determinng factor in this rezoning or street vacation.

I have reservations about the proposal that the City of Lansing acquire 1132 Case Street and the vacant property located at the southeast corner of Case and Grand River Avenue for a City-operated parking lot. I recognize that some nearby businesses may have used Wohlert's parking lot in years past, but I do not believe the City can justify large expenditures to develop a parking lot which may have uncertain utilization. Further, I believe that it is unlikely that a maintenance agreement could be made in advance with the benefitting businesses. I believe this item should be reviewed in depth, and have asked the Transportaton Division of the Public Service Department to begin this review. Again, I do not believe that this item should have any bearing on the requests in hand.

I believe it is crucial to note that the Ciyt's 1958 Master Plan indicated this property for industral development, and I must believe that Wohlert acquired the residential properties in question on the premise that industrial rezoning would be approved by

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the City. I must also commend any business willing to make major financial commitments in a time of economic fluctuation and I believe it is the City's responsibility to assist those businesses in any appropriate manner.

I would hope that City Council would recognize that objections which have been expressed to this proposal by ACORN members represent the feelings of a very small minority where I believe the expansion contemplathed by Wohlert is in the best interest of the City as a whole. I encourage your positive action.

Sincerely,

GERALD W. GRAVES,
Mayor.

Referred to Committee on Physical Development and Committee on Public Properties and Safety.

## RESOLUTIONS

By COUNCILMAN McKANE—

Resolved by the City Council of the City of Lansing:

Whereas, the Trinity A.M.E. Church located at 3500 West Holmes Road is celebrating its 115th Anniversary; and

Whereas, Trinity A.M.E. Church, formerly known as George R. Collins A.M.E. Church is the oldest integrated church in the City of Lansing, with history dating back to 1866 when the Church was located in the 100 block of North Pine Street; and

Whereas, the Congregation has been blessed with exceptional leadership over the years, up to and including that of the present Pastor, Reverend Edgar L. Vann, who has served with great ability and love since 1977; and

Whereas, the anniversary will be marked Saturday, November 21st with a banquet and evening of special activities, including guest speaker Dr. Eva Evans, Director of Personnel for the Lansing School District; and

Whereas, the Sunday service on November 22, will feautre remarks by Bishop Hubert N. Robertson;

Now, Therefore, Be It Resolved, the City Council of the City of Lansing, on behalf of all its citizens, hereby extends its warmest congratulations and wishes of continued prosperity to the 500 members of the Trinity A.M.E. Church on the occasion of this church's 115th anniversary.

Adopted by the following vote:

Unanimously.

By COMMITTEE OF THE WHOLE—

Resolved by the City Council of the City of Lansing:

Whereas, the Lansing City Council will have fulfilled its Charter requirement of 50 meetings annually by December 21st, 1981; and

Whereas, the week between Christmas and New Year's Day is traditionally slow in terms of City business due to the Holiday Season;

Now, Therefore, Be It Resolved, the City Council of the Cty of Lansing hereby officially cancels the City Council meeting of December 28, 1981.

Adopted by the following vote:

Unanimously.

By Committee on GENERAL SERVICES—

Resolved by the City Council of the City of Lansing:

Whereas, the Lansing Director of the Department of Building Safety and Development determined that the building located at 1022 West Washtenaw legally described as:

1022 West Washtenaw, E. 14′ of S. 80′; Lot No. 12 and E. 26′ of S. 80′ of Lot No. 13. Block 11, Bush, Butler and Sparrow Subdivision; 3301-17-428-081-2,

was an unsafe or dangerous building as defined in Section 9A-13 of the Lansing Uniform Housing Code and the Housing Law of Michigan; and

Whereas, a hearing was held by the Hearing Board on September 17, 1981, at which the Hearng Officers determined that said building was an unsafe or dangerous building and ordered the building demolished or otherwise made safe; and

Whereas, said Hearing Officers filed a report of their findings and order with the Lansing City Council, and have requested the City Council to take appropriate action under the Housing Code and the Housing Law of Michigan; and

Whereas, the City Council scheduled a hearing on November 9, 1981, to review the findings and order of the Hearing Officers, and the owners were notified in writing of said hearing and had an opportunity to appear and show cause why said building should not be demolished or otherwise made safe;

Now, Therefore, Be It Resolved, that the City Council of the City of Lansing hereby approves the order of the Hearing Officers requiring the demoliton or making safe of said building; and

Be It Further Resolved, that the owners are hereby directed to comply with the order of the Hearing Officers to demolish or otherwise make safe the said building within ninety (90) days from the date of this resolution; and

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Be It Further Resolved, that should the owner fail to substantially comply with the Hearing Officer's order for demolition or otherwise make safe, the Director of the Department of Building Safety and Development is hereby directed to proceed with demolition of said bulding; and

Be It Further Resolved, that the cost of such demolition shall be a lien against the real property and shall be reported to the City Assessor who shall assess the same against the property upon which the building is presently located; and

Be It Further Resolved, that the owner in whose name the property appears upon the last local tax assessment record shall be notified of the amount of such cost by first class mail at the address shown on the records. Upon his failure to pay the same within thirty (30) days after mailing by the City Assessor of the notice of the amount thereof, the Assessor shall add the same to the next tax roll of the City of Lansing and the same shall be collected in the same manner in all respects as provided by law for the collection of taxes in the City of Lansng.

Adopted by the following vote:

Unanimously.

By Committee on GENERAL SERVICES—

Resolved by the City Council of the City of Lansing:

Whereas, the Lansing Director of the Department of Building Safety and Development determined that the building located at 332 South Logan legally described as:

332 South Logan; Lot 80, except W. 10 ft., Assessor's Plat No. 9; 3301-17-405-261-9,

was an unsafe or dangerous building as defined in Section 9A-13 of the Lansing Uniform Housing Code and the Housing Law of Michigan; and

Whereas, a hearing was held by the Hearing Board on September 17, 1981, at which the Hearing Officers determined that said building was an unsafe or dangerous building and ordered the buildng demolished or otherwise made safe; and

Whereas, sad Hearing Officers filed a report of their findings and order with the Lansing City Council, and have requested the City Council to take appropriate action under the Housng Code and the Housing Law of Michigan; and

Whereas, the City Council scheduled a hearing on findings and order of the Hearing Officers, and the owners were notified in writing of said hearing and had an opportunity to appear and show cause why said bulding should not be demolished or otherwise made safe;

Now, Therefore, Be It Resolved, that the City Council of the City of Lansing hereby approves the order of the Hearing Officers requiring the demolition or making safe of said building; and

Be It Further Resolved, that the owners are hereby drected to comply with the order ot the Hearing Officers to demolish or otherwise make safe the said building withing twenty (20) days from the date of this resolution; and

Be It Further Resolved, that should the owner fail to substantially comply with the Hearing Officers' order for demolition or othrewise make safe, the Director of the Department of Building Safety and Development is hereby directed to proceed with demolition of said building; and

Be It Further Resolved that the cost of such demolition shall be a lien against the real property and shall be reported to the City Assessor who shall assess the same against the property upon which the building is presently located; and

Be It Finally Resolved that the owner in whose name the property appears upon the last local tax assessment record shall be notified of the amount of such cost by first class mail at the address shown on the records. Upon his failure to pay the same within thirty (30) days after mailng by the City Assessor of the notice of the amount thereof, the Assessor shall add the same to the next tax roll of the City of Lansing and the same shall be collected in the same manner in all respects as provided by law for the collection of taxes in the City of Lansing.

Adopted by the followin gvote:

Unanimously.

By Committee on GENERAL SERVICES—

Resolved by the City Council of the City of Lansing:

Whereas, the Lansing Director of the Department of Building Safety and Development determined that the building located at 1815 Olds Avenue legally described as:

1815 Olds Avenue; Lot No. 101, Taylor's Riverview Subdivsion No. 1; 3301-20-136-041-2,

was an unsafe or dangerous buildnig as defined in Section 9A-13 of the Lansing Uniform Housng Code and the Housing Law of Michigan; and

Whereas, a hearing was held by the Hearing Board on September 17, 1981, at which the Hearing Officers determined that said building was an unsafe or dangerous building and ordered the building demolished or otherwise made safe; and

Whereas, said Hearing Officers filed a report of their findings and order with the Lansing City Council, and have requested the City Council to take appropriate action under the Housing Code and the Housing Law of Michigan; and

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Whereas, the City Council scheduled a hearing on findings and order of the Hearing Officers, and the owners were notified in writing of said hearing and had an opportunity to appear and show cause why said building should not be demolished or otherwise made safe;

Now, Therefore, Be It Resolved, that the City Council of the City of Lansng hereby approves the order of the Hearing Officers requiring the demolition or making safe of said building; and

Be It Further Resolved, that the owners are hereby directed to comply with the order of the Hearing Officers to demolish or otherwise make safe the said building withn twenty (20) days from the date of this resolution; and

Be It Further Resolved, that should the owner fail to substantially comply wiht the Hearing Officers' order for demolition or otherwise make safe, the Director of the Department of Building Safety and Development is hereby directed to proceed with demolition of said buildng; and

Be It Further Resolved, that the cost of such demolition shall be a lien against the real property and shall be reported to the City Assessor who shall assess the same against the property upon which the building is presently located; and

Be It Finally Resolved, that the owner in whose name the property appears upon the last local tax assessment record shall be notified of the amount of such cost by first class mail at the address shown on the records. Upon his failure to pay the same within thirty (30) days after mailng by the City Assessor of the notice of the amount thereof, the Assessor shall add the same to the next tax roll of the City of Lansing and the same shall be collected in the same manner in all respects as provided by law for the collection of taxes in the City of Lansing.

Adopted by the following ovte:

Unanimously.

By PHYSICAL DEVELOPMENT Committee—

Resolved by the City Council of the City of Lansing:

Whereas, the Committee on Physical Development hereby confirms the appointment of Eugene Russell to the Public Service Board as recommended by the Mayor for a term expiring, June 1983.

Adopted by the following vote:

Unanimously.

By PHYSICAL DEVELOPMENT Committee—

Resolved by the City Council of the City of Lansing:

Whereas, the Lansing City Council has established a policy regarding the disposition of vacant lots in Neighborhood Development Areas; and

Whereas, Section 8-403.4 of the City Charter of the City of Lansing requires that City Council approve proposed sales of real estate,

Now, Therefore, Be It Resolved by the Lansing City Council that the following proposed sale be and is hereby approved:

To Maude M. McCrumb, a widow, the property legally described as Lot 51, Parkview Land Company Addition, City of Lansing, Ingham County, Michigan (commonly known as 1231 Lathrop Street, No. 3301-22-280-081-0).

Adopted by the following vote:

Unanimously.

By COUNCILMAN WORTHINGTON—

Resolved by the City Council of the City of Lansing:

Whereas, Act 223, P.A. 1909, as last amended by Act 196, P.A. 1970 provides for the conveyance of state owned tax reverted land to municipal units for public purposes, and

Whereas, property located off Tranter Street, legally described as the east 129.23 feet of the North 104.82 feet of Lot No. 1, Regent Center, is under the jurisdiction of the State of Michigan, Department of Natural Resources and is available for acquisition under the provisions of the above mentioned act, and

Whereas, the City of Lansing desires to acquire said property in behalf of the Capital Area Transit Authority for use as a parking site to support their public transit operation located immediately north of the site in question;

Now Therefore Be It Resolved, that the City of Lansing is authorized to make application to the State of Michigan, Department of Natural Resources, Lands Division, for conveyance of said land to the City for a nominal fee of one ($1.00) dollar, and

Further Be It Resolved, that such application will only be made subsequent to a written agreement being prepared and signed by the City and the Capital Area Transit Authority regarding final disposition of the land, and

Further Be It Resolved, that the City of Lansing shall include on the deed, conveyed to the Capital Area Transit Authority, a statement of the necessary procedures and controls to provide for the proper distribution of funds arising from any subsequent sale of the acquired property in conformity with the above mentioned acts.

Adopted by the following vote:

Unanimously.

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By COUNCILMAN WORTHINGTON—

Resolved by the City Council of the City of Lansing:

Whereas, Act 223, P.A. 1909 as last amended by Act 196, P.A. 1970 provides for the conveyance of state owned tax reverted land to municipal units for public purposes, and

Whereas, property located at 1556 Roosevelt is under the jurisdiction of the State of Michigan, Department of Natural Resources and is available for acquistion under the provisions of the above mentioned act, and

Whereas, the Planning Board of the City has contacted all public agencies in the City to determine if any public use might be made of the property under the provisions of P.A. 285, 1931 and,

Whereas, it has been determined through this review that no contacted agency has any use for the land;

Now, Therefore Be It Resolved, the Lansing City Council hereby refuses the sale offer made by the State of Michigan and authorizes that the Department of Natural Resources, Lands Division be notified of that refusal.

Adopted by the following vote:

Unanimously.

By COUNCILMAN WORTHINGTON—

Resolved by the City Council of the City of Lansing:

Whereas, the City of Lansing, Property Manager has recommended the disposal of Moores Park Property west of Moores River Drive, and the vacation of the excess portion of undeveloped street right-of-way of Britten Avenue; and

Whereas, Moores Park was donated by the Moores family and the City Council has dedicated the property for park purposes.

Whereas, the Lansing Planning Board has reviewed under Act 285, the Property Manager's recommendation regarding the Moores Park property; and has recommended that:

1) The property, in its current condition, be preserved as parkland.

2) The portion of Britten Avenue right-of-way north of the sidewalk located on the north side of the street, more particularly described as Lot 2 of Park Height Subdivision, be vacated to the Parks Department for park purposes.

Whereas, area residents and the City Parks Department have expressed opposition to any proposal to dispose of the park property or to alter its existing character;

Whereas, the Physical Development Committee has reviewed the Planning Board recommendation and concurs therein;

Now, Therefore, Be It Resolved, that the City Council concurs in the recommendation of the Planning Board to preserve the portion of Moores Park west of Moores River Drive in its current condition;

Be It Further Resolved that the unused portion of Britten Avenue right-of-way as described is to be vacated to the City Parks Department for use for park purposes.

Adopted by the following vote:

Unanimously.

By COUNCILMAN WORTHINGTON—

Resolved by the City Council of the City of Lansing:

Whereas, Mr. Jock VerPlanck of 822 Pierce Road, has requested the City to vacatae a portion of right-of-way in the 800 block of West Cavanaugh Road to allow buildable sites for development, and

Whereas, The Planning Board has reviewed the request under the provisions of Act 285 of PA 1931, and concluded that the property described as:

That part of Cavanaugh Road as platted in Bel-Air Meadows No. 1 (rec. in Liber 20 of Plats, on Page 31), City of Lansing, Ingham County, Michigan, described as: Beginning at the N.W. corner of Outlot "D" of said Plat; thence N 2° 01' 00" E. 30.00 feet along the West Plat line to the E-W ¼ line of Section 32, T4N, R2W; thence S. 88° 35' 00" E. 25.00 feet along said E-W ¼ line to a point 30 feet Southerly of the Centerline of Cavanaugh Road, said point also being a point on curve; thence Southeasterly 145.17 feet along the arc of a 346.13 foot radius curve concave to the Northeast, having a central angle of 24° 01' 51" and whose long chord bears S. 76° 34' 04" E. 144.11 feet to a point of tangency on the North line of Outlot "D"; thence N. 88° 35' 00" W. 166.27 feet along said North line to the point of beginning; containing 0.049 acres more or less,

is not required by the City for street expansion; and

Whereas, the Planning Board recommended that the subject property be vacated to Mr. VerPlank; and

Whereas, the Physical Development Committee of City Council concurs with the Planning Board recommendation;

Now, Therefore, Be It Resolved, that the above-described property be vacated to Mr. Jack VerPlank of 822 Pierce Road.

Adopted by the following vote:

Unanimously.

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By COUNCILMAN WORTHINGTON—

Resolved by the City Council of the City of Lansing:

Whereas, the Property Manager has requested the Planning Department to review the disposition of property on Sheffer Avenue and described as Lot No. 36 of Westmont Subdivision;

Whereas, the property has no apparant owner, it has been determined to be tax exempt; and it is necessary to establish an ownership pattern with proper title; and

Whereas, the Planning Board has reviewed this matter under the provisions of ACT 285 of P.A. 1931 and recommends that the property be placed on the tax rolls as a "No Name"; and

Whereas after four years, the State Department of Natural Resources will take this land for back taxes and re-offer it for sale; and

Whereas, the property appears to be used and maintained by the adjacent property owner, and the City has no interest in the property for public use; and

Whereas the Physical Development Committee of City Council concurs with the Planning Board's recommendation to place the property on the tax rolls; and

Now, Therefore, Be It Resolved that Lot No. 36 of Westmont Subdivision be placed on the tax rolls of the City of Lansing as a "No Name", and the City Property Manager notify the adjacent property owners of this action.

Adopted by the following vote:

Unanimously.

By WAYS AND MEANS Committee—

Resolved by the City Council of the City of Lansing:

That the followin gtransfers be approved:

$ 7,615.00 from Police Central Records Misc. and Operating Expenses A/C 101-308-000-741

$ 7,615.00 to Police Central Records Equipment A/C 101-308-000-977

$ 5,070.00 from City Share of Storm Sewers—Cap. Imp. A/C 101-936-617-973

$ 3,138.00 to Wages—Hourly A/C 101-445-017-706

336.00 to Utilities A/C 101-445-017-920

13.00 to Equipment Maintenance A/C 101-445-017-933

1,553.00 to Equipment Rental—Other Operations—Flood Control A/C 101-445-017-943

$51,105.00 from Estimated Revenues A/C 101-000-000-160

$51,105.00 to Potter Park Complex A/C 101-936-204-971

I hereby certify that this is a properly drawn and eligible transfer.

JAMES W. DOWSETT,
Finance Director.

Approved:

TERRY J. McKANE,
WILLIAM A. BRENKE,
JACK D. GUNTHER,
Ways and Means Committee.

Adopted by the following vote:

Unanimously.

By COUNCILMAN GUNTHER—

Resolved by the City Council of the City of Lansing:

That Councilman Adado be excused from the session.

Carried.

## REMARKS BY THE MAYOR'S EXECUTIVE ASSISTANT

Mr. Black spoke relative to Mr. Reutter, Chairman, Public Service Board, who passed away.

## REMARKS BY THE COUNCIL

Councilman Blair spoke relative building that burned at S.W. corner of Grand and Washtenaw Sts. Merchants in area concerned about this and would like to have something done relative to same.

Referred to Committee on General Services.

Mary Haney, 405 E. Grand River Avenue, spoke relative to police dept. and City officials. Read a letter relative to same.

Referred to Committee on General Services.

By COUNCILMAN BELEN—

That this meeting stand adjourned.

Carried.

Council adjourned at 8:20 P.M.

THEO FULTON,
City Clerk.

Lansing, Michigan

November 16, 1981

F

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CITY CLERK'S OFFICE
Room 921, City Hall
Lansing, Michigan 48933

Address Correction Requested

BULK RATE
U. S. POSTAGE
PAID
Permit No. 1461
Lansing, Michigan



# OFFICIAL PROCEEDINGS OF
# THE CITY COUNCIL
## OF THE CITY OF LANSING

## Proceedings, November 23, 1981

CITY COUNCIL ROOMS

Lansing, Michigan

November 23, 1981

The City Council of the City of Lansing, Michigan, met in regular session and was called to order by President Belen.

Present: Councilmen Belen, Blair, Brenke, Gunther, Lindemann, Worthington—6.

Absent: Councilmen Adado, McKane—2.

The Clerk announced that a quorum of the Council was present.

Invocation was given by Councilman Gunther.

Pledge of Allegiance was led by Councilman Gunther.

By COUNCILMAN GUNTHER—

That the council proceedings of November 2, 1981, be approved.

Carred.

PUBLIC HEARING

November 23, 1981, at 7:00 o'clock being the time set as the time for holding a public hearing on the proposed project plan concerning the Speaker-Hines & Thomas, Inc., project.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed plan they had the privilege of speaking at this time.

Referred to Committee on Economic Development.

PUBLIC HEARING

November 23, 1981, at 7:00 o'clock being the time set as the time for holding a public hearing on the proposed sale of publicly owned property (Paulson and Coleman Road) to Granger Land Development Company.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the pro-

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posed sale of said property they had the privilege of speaking at ths time.

By COUNCILMAN WORTHINGTON—

That resolution No. 4c in regard to the sale of this property and Committee Report No. 2 be taken off the agenda for one week.

Carried.

Referred to Committee on Physical Development.

**THE PUBLIC MAY NOW ADDRESS THE CITY COUNCIL ON ANY OF THE FOLLOWING ITEMS LISTED ON THE AGENDA: COMMUNICATIONS AND PETITIONS, COMMITTEE REPORTS, REPORTS OF CITY OFFICERS AND BOARDS, AND RESOLUTIONS. YOU MAY SPEAK ONLY FOR 3 MINUTES ON ANY ONE ITEM.**

No person spoke.

## COMMUNICATIONS AND PETITIONS

The following applications and bonds have been filed for licenses:

BUILDING MOVER —
Carl Daivs.

MECHANICAL AMUSEMENT DEVICE —
Silver Ball Arcade.

AUCTIONEER —
Danny Ballard, Steven J. Canton.

BUILDING WRECKER —
Garry's Excavating & Asphalt.

PUBLIC DRIVER —
Michael Jess Gray.

Referred to Committee on General Services.

Summons filed in the United States District Court by Joyce Bergey v City of Lansing and the United States Department of Housing and Urban Development in regard to relocation assistance or replacement housing payment.

Referred to Mayor, City Attorney.

Summons filed in Circuit Court by International Brotherhood of Teamsters, Chauffers and Warehousemen, Local 580 vs City of Lansing in regard to the termination and restricted use of city owned vehicles by certain city employees.

Referred to Mayor, City Attorney.

The following claims have been filed:

CNA Insurance Company for client Natalie Dean for damage to her vehicle due to hitting a rut on S. Washington Avenue.

Donald Updike for damage to his motorcycle due to hitting a pot hole in the pavement in the 1400 block of N. Larch St.

Evelyn Law for damage to her automobile by blacktopping being sprayed on her automobile during road work.

State Farm Mutual Automobile Insurance Company for insured Lois Parr in regard to her automobile being improperly impounded by City Police Department.

Referred to Mayor, City Attorney.

The following petitions have been filed for rezoning:

Z-37-81 —

**Unzoned Street Right-of-Way to "I" Heavy Industrial District**

Vacated Case Street:

Beginning on a line 23 feet north of the southeast corner of Lot 1, Block 7, Handy Home Addition, thence north to the New York Central Railroad Right-of-Way, thence northerly along said right-of-way to the southwest corner of Lot 24, thence east to a point due north of the east line of the Case Street right-of-way, thence south to a point due east of the point of beginning, thence west 66 feet to the point of beginning; also a parcel of land 50 feet in width parallel to and adjacent to the east right-of-way lne of the New York Central Railroad, across the entire of Lot 24, and across Lots 25 and 26 except the north 40 feet; replat of Block 3, Ballard's Addition, City of Lansing, Ingham County, Michigan.

**Unzoned Street Right-of-Way to "I" Heavy Industrial District**

Vacated Alley:

A strip of land 8 feet wide across the east side of Lot 17 (now Lot 24, Replat of Ballard's Addition), also a place for turning described as all the land falling outside a quadrant of 10 feet radius projected from a point 10 feet south and 10 feet east of the northwest corner of the remainder of Lot 16 (now Lot 23, Replat of Block 3 of Ballard's Addtion), all on Block 3 of Ballard's Addition to the City of Lansing, City of Lansing, Ingham County, Michigan.

**Unzoned Street Right-of-Way to "I" Heavy Industrial District**

Vacated North East Street:

Beginning at the northeast corner of Lot 1, Block 1, Lyman Addition, thence east 66 feet, thence north to the southwest

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corner of Lot 85, Dr. L. Anna Ballard's Subdivision, thence west 66 feet, thence South to the point of begnning, City of Lansing, Ingham County, Michigan.

**Unzoned Street Right-of-Way to "I" Heavy Industrial District**

Vacated McKinley Street:

Beginning at the northeast corner of Lot 6, Ballard's Addition, thence northeasterly to the southeast right-of-way line of vacated Appleton Street, thence west to the east right-of-way line of North Larch Street, thence south 66 feet, thence east to the point of beginning; also that portion of Hall Street crossing the west end of McKinley Street, City of Lansing, Ingham County, Michigan.

**Unzoned Street Right-of-Way to "I" Heavy Industrial District**

Vacated Handy Street:

Commencing at the norhteast corner of Lot 11, Block 7, Handy Home Addition, thence west to the easterly line of the New York Central Railroad right-of-way, thence northeasterly along said right-of-way line to the southwest corner of Lot 5, Block 8, Handy Home Addition, thence east to the southeast corner of Lot 1, Block 8 Handy Home Addition, thence south 50 feet to beginning, Cty of Lansing, Ingham County, Michigan.

**Unzoned Right of Way to "J" Parking District**

Vacated Drury Lane:

Beginning at the northwest corner of Lot 17, thence north 50 feet to the southwest corner of Lot 28, thence east 132 feet to the southeast corner of Lot 28, thence south 50 feet to the northeast corner of Lot 17, thence west 132 feet to the point of beginning; Blocks 4 and 5, Handy Home Addition, City of Lansing, Ingham County, Michigan.

**Unzoned Street Right of Way to "C" Two Family Resdential District**

Vacated Drury Lane:

Commencing at the northeast corner of Lot 16, thence north 50 feet to the southeast corner of Lot 1, thence west 132 feet to the southwest corner of Lot 1, thence south 50 feet to the southwest corner of Lot 16; thence east to beginning; Blocks 4 and 5, Handy Home Addiiton, City of Lansing, Ingham County, Michigan.

**"C" Two Family Residential District to "I" Heavy Industrial Distrct**

811 E. North Street:

Lot 23 and part of a vacated alley described as commencing at the northeast corner of Lot 23, thence north 3.96 feet, west to east line Case Street, southwesterly along the east line of Case Street to the northwesterly line of Lot 23, easterly along the north line of Lot 23 to beginning, replat of Block 3 of Ballard's Addition, City of Lansing, Ingham County, Michigan.

**"C" Two Family Residential District to "J" Parking District**

808, 810 Drury Lane; 1220, 1222, 1224, 1304, 1308, 1312, 1316, 1318, 1320, 1402, 1404, 1408, 1410, 1412 Case Street:

Lots 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, and 27, Block 5, Handy Home Addition, City of Lansing, Ingham County, Michigan.

**"H" Light Industrial District to "I" Heavy Industrial District**

Vacated Case Street:

Lot 24, except the northwesterly 50 feet lying adjacent and parallel to the New York Central Railroad right-of-way, Block 3, Handy Home Addition, City of Lansing, Ingham County, Michigan.

**Unzoned Street Right of Way and "H"**

**Light Industrial District to "I" Heavy Industrial District**

1401 Case Street:

Vacated Drury Lane lying east of the New York Central Railroad right-of-way and west of Case Street, also Blocks 8 and 9, Handy Home Addition, City of Lansing, Ingham County, Michigan.

**"H" Light Industrial District to "I" Heavy Industrial District**

1315 Case Street:

Lots 7, 8, 9 inculding also Lot 10 except the south 33.33 feet of the east 22 feet, Lot 11 except the south 33.33 feet and Lot 12 except the south 29.5 feet, Block 7, Handy Home Addition, City of Lansing, Ingham County, Michigan.

**"H" Light Industrial District to "J" Parking District**

1500 Block N. Case:

Lots 16 and 17 and also Lot 15, except the east 66 feet thereof, Block 4, Handy Home Addition, City of Lansing, Ingham County, Michigan.

**"H" Light Industrial District to "J" Parking District**

1500 Block N. Case/800 Block Drury Lane: Lots 23, 24, 25, 26, 27 and 28, Block 4, Handy Home Addition, City of Lansing, Ingham County, Michigan.

Z-38-81 —

Lot 1, Block 1, Handy Home Addition, City of Lansing, Ingham County, Michigan from "F" Commercial District to a "B" One Family Residential District — (1017 East Grand River Avenue).

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Z-39-81 —

Commencing at the northwest corner of Lot 27, thence south 168.96 feet west to the east line of Case Street, northeasterly along the east line of Case Street to the north line of Lot 26, east 28.6 feet more or less to beginning, replat of block 3 of Ballard's Additions, City of Lansing, Ingham County, Michigan and the East ½ of Lot 15, block 4, Handy Home Addition, City of Lansing, Ingham County, Michigan, from "H" Light Industrial District to a "C" Two Family Residential District — (808 McKinley St. and 812 East North Street).

Z-40-81 —

Beginning at the Northeast corner of Lot 11, thence west 330 feet to the Northwest corner of Lot 6, thence north to the Southwest corner of Lot 6, thence east 327.5 feet to the Southeast corner of Lot 1, thence south 50 feet to the point of beginning, Block 6 and 7, Handy Home Additions, City of Lansing, Ingham County, Michigan, from an "Unzoned" street right-of-way to "H" Light Industrial District—(Vacated Walker Street—700 block).

Z-41-81 —

Lots 1, 2, 3, 28, 29 and 30, Block 27, Elmhurst Subdivision, City of Lansing, Ingham County, Michigan, from "F" Commercial District to "B" One Family Residential District — (2700 block S. Logan St., west side).

Z-42-81 —

Lots 136 and 137, Olds Park Addition, City of Lansing, Ingham County, Michigan, from "J" Parking District to "B" One Family Residential District — (Vacant land in the 1100 block of Goodrich Street — south side).

Z-43-81 —

Lot 64, Olds Park Additions, City of Lansing, Ingham County, Michigan, from "J" Parking District to "B" One Family Residential District — (Vacant land in the 1100 block of West Barnes Street (south side)).

Referred to Mayor, Planning Board.

Petition filed in regard to condition that exists at property located at 522 S. Clemens Street.

Referred to Mayor, Building Department.

Request from Capitol Lodge No. 8, F & AM P.H.A. Entertainment Committee for a special 24-hour liquor permit for November 28, 1981 — National Guard Armory.

By COUNCILMAN BRENKE—

That said request be approved.

Carried.

Letter from Clair W. Huntington in regard to traffic situation that exists behind property at 2016 East Michigan Avenue.

Referred to Mayor.

Letter from the Capital Area Transportation Authority notifying the City of Lansing of a refund for unused 1981 City subsidy.

Received and placed on file with copy to the Mayor.

Letter from William Barkyoumb — District 8 Committee Chairman in regard to the future use of Commercial Tax Abatement.

Referred to Mayor, Committee on Economic Development.

Letter from the Department of Health and Human Services requesting that several spaces in front of building at 333 S. Capitol Avenue be designated and reserved for the handicapped and that the parking meters in front of the building be changed from a one hour limit to a four hour limit.

Referred to Mayor, Traffic Board.

Department of Natural Resources submits flood plain permits for:

Frandsorson Properties;

City of Lansing — Parks Department.

Received and placed on file.

Department of Natural Resources submits copy of letter sent to Mr. Fred N. White in regard to the Four Seasons on the River Plat.

Received and placed on file.

## MAYOR OR HIS EXECUTIVE ASSISTANT COMMENTS ON ANY ITEM ON THE AGENDA

No comment.

Agenda Item 1

## REPORT OF COMMITTEE

The Committee on GENERAL SERVICES approves the following applications and bonds for licenses:

BUILDING MOVER —
Carl Davis.

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MECHANICAL AMUSEMENT DEVICE — Silver Ball Arcade.

AUCTIONEER — Danny Ballard, Steven J. Canton.

BUILDING WRECKER — Garry's Excavating & Asphalt.

PUBLIC DRIVER — Michael Jess Gray.

Signed:

WILLIAM A. BRENKE,
PAT LINDEMANN,
Committee on General Services.

By COUNCILMAN BRENKE—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

## REPORTS OF CITY OFFICERS AND BOARDS

DATE: 11-16-81

TO: President Lucile Belen and Members

FROM: Police Chief Richard A. Gleason

SUBJECT: Parade Application — Chamber of Commerce.

Attached is an application for a parade permit from the Chamber of Commerce, Downtown Promotional Committee, scheduled for 11:30 A.M. on Friday, December 4, 1981, which has been approved by all the necessary departments.

Our personnel estimate this will cost the City a total of $89.07, which represents one Sergeant, five Police Officers and three vehicles for one hour.

This is being sent to you for final action.

By COUNCILMAN BRENKE—

That we concur in the recommendation of the Police Department and said permit be approved inasmuch as all the required signatures have been obtained.

Carried.

November 17, 1981

Honorable Mayor Gerald W. Graves

9th Floor

City Hall

Lansing, Michigan 48933

Dear Mayor Graves:

Please find attached the Board of Police Commissioner's written report evaluating the effectiveness of the Lansing Police Department. This report is generated in accordance with Section 5-106.4 of the City Charter.

Sincerely yours,

RUSSEL A. LAWLER,
Chairman,
Board of Police Commissioners.

Received and placed on file with copy to the Committee on Public Property and Safety for their file.

November 13, 1981

Council President Belen
and Honorable Members of Council

City of Lansing

City Hall

Lansing, Michigan

Dear Lady and Gentlemen:

Subject: Staff's Response to the Auditors' Management Letter

In accordance with Board action of November 10, 1981, a copy of staff's response to comments and recommendations made by Ernst & Whinney regarding the fiscal 1981 year-end audit is herewith submitted.

Respectfully submitted,

BOARD OF WATER AND LIGHT,

Mary E. Sova, Secretary.

Received and placed on file.

December 1, 1981

Theo Fulton, City Clerk

City of Lansing

City Hall

Lansing, Michigan

Dear Miss Fulton:

This Evaluation Report is herewith submitted in compliance with the City Charter, Article V, Paragraph 5-106.4. The report analyzes the status and priorities of services and activities for the Lansing Fire Department during the period of January 1, 1981 through November 1, 1981.

BOARD OF FIRE COMMISSIONERS,
Richard E. Paulson, Chairman.

Received and placed on file.

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DATE: 11-19-81

TO: Lansing City Council

FROM: The Board of Trustees—
Policemen's & Firemen's Retirement System

SUBJECT: Outside Legal Counsel
Re: Larry Smith versus City of Lansing

The Board of Trustees of the Policemen's and Firemen's Retirement System is greatly concerned about the precedent which could be set in the matter of Larry Smith versus the City of Lansing. The Board feels that its interests could best be served by utilizing outside legal counsel.

At its meeting of October 20, 1981, the Board of Trustees approved the attached resolution for consideration by the City Council. The Board has directed that James Dowsett, Secretary, and Steve Sawyer, Legal Counsel to the retirement systems, should represent the concerns of the Board of Trustees to the City Council.

Referred to the Committee of the Whole.

DATE: 11/19-81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Submission of attached correspondence from the City Controller and Internal Auditor. Re: Response to management letter presented to City Council by Maner, Costerisan & Ellis in regard to the June 30, 1981, audit

The attached correspondence is submitted for your information.

GERALD W. GRAVES,
Mayor.

Received and placed on file.

DATE: 11/17/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Lansing Regional Chamber of Commerce. Re: Establishing Lansing as a Port of Entry

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee of the Whole.

DATE: 11/18/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurence with attached correspondence from the Assistant Director of Public Service. Re: Sunset Hills No. 10 — Sidewalk on Ridgefiled Road — Adjacent to 2002 Byrnes Road—PS 14099

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Physical Development.

November 17, 1981

Council President Lucile Belen and
Members of the Lansing City Council

10th Floor, City Hall

Lansing, Michigan 48933

Dear Council President and Members:

As part of my administration's on-going effort to reduce costs numerous interim actions are being undertaken. While this will be discussed more fully in a later report, I would appreciate your prompt action on one proposal. The Police Department 9-1-1 operation is being internally examined for more efficient scheduling possibilities. At their recommendation I propose the addition of two (2) Police Technicians concurrent with my deletion of five clerical positions in the 9-1-1 Center.

This modification would result in an annualized savings of approximately $32,000 while maintaining crucial services. This is being proposed at this time since three (3) of the involved positions are currently vacant and the change could thus be implemented with minimal impact to current employees.

Staff from the Police Department and Budget will be available to provide any additional information you require.

Sincerely,

GERALD W. GRAVES,
Mayor.

Referred to Committee on Public Property and Safety.

DATE: 11/19/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Planning Director.

Re: Z-37-80 — 6500 Aurelius Road
Z-35-80 — 6534 Aurelius Road

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The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Physical Development.

DATE: 11/19/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Mayor's Economic Development Advisory Group. Re: EDC request for approval of project area designation; establishment of project district area; and determination of necessity of establishing a project citizens district council for the Hollister Building project

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Economic Development.

## RESOLUTIONS

By ECONOMIC DEVELOPMENT COMMITTEE—

City of Lansing
County of Ingham, Michigan

RESOLUTION CALLING PUBLIC HEARING CONCERNING PROJECT PLAN CONCERNING BAUCH BUILDING CAPITOL HALL PROJECT

Minutes of a regular meeting of the City Council of the City of Lansing, County of Ingham, Michigan (the "Council"), held on November 23, 1981, at 7:00 o'clock p.m., Eastern Standard Time.

Present: Councilmen Belen, Blair, Brenke, Gunther, Lindemann and Worthington.

Absent: Councilmen Adado and McKane.

The following preamble and resolution were offered by Member Gunther and supported by Member Brenke:

Whereas, there exists in the City of Lansing, County of Ingham, Michigan (the "City") the need for certain programs to alleviate and prevent conditions of unemployment and revitalize the City's economy, and to encourge the location and expansion of industrial and commercial enterprises to provide needed services and facilities to the City and its residents; and

Whereas, a program to alleviate the aforesaid conditions and accomplish said purposes has been initiated by The Economic Development Corporation of the City of Lansing (the "Corporation"); and

Whereas, the Corporation in conformity with Act No. 338 Public Acts of Michigan, 1974, as amended ("Act No. 338"), has prepared and submitted a project plan for the Bauch Building, a Michigan Partnership; and

Whereas, pursuant to Act No. 338 it is necessary to hold a public hearing concerning said project plan prior to taking legislative action realting to it;

Now, Therefore, Be It Resolved That:

1. Pursuant to the aforesaid Act No. 338 the Council shall meet on December 7, 1981, at Seven (7) o'clock p.m., at which time it shall conduct a public hearing on the Corporation's submission of the project plan.

2. The Clerk be and is hereby directed to give notice of such public hearing by (1) publishing a notice thereof in The State Journal, a newspaper of general circulation in the City; (2) posting in at least ten (10) conspicuous and public places in the project district area; and (3) mailing to the last known owner of each parcel of real property in the project district area at the last known address of the owner as shown by the tax assessment records, which notices shall be published and given at least ten (10) full days prior to the date set for said hearing.

3. Said notice shall be in substantially the following form:

OFFICIAL NOTICE TO THE CITIZENS OF THE CITY OF LANSING OF PUBLIC HEARING TO CONSIDER APPROVAL OF A PROJECT PLAN AS SUBMITTED TO THE CITY COUNCIL OF THE CITY OF LANSING BY THE ECONOMIC DEVELOPMENT CORPORATION OF THE CITY OF LANSING FOR THE BAUCH BUILDING—CAPITOL HALL PROJECT

---

Please Take Notice that pursuant to Act 338 of the Public Acts of Michigan of 1974, as amended, The Economic Development Corporation of the City of Lansing has submitted a project plan to the City Council for its approval.

Said project plan deals with the renovation of an existing commercial facility and details all information required by law relative to said project and its impact on the community. The project will not require the displacement and relocating of any persons. The location of the project plan area is 115 West Allegan, Lansing, Michigan, and is comprised of a ten-story office building.

The City Council will meet at Seven (7) o'clock p.m., Eastern Standard Time, on Monday, the Seventh (7th) day of December, 1981, at the City Council Chambers, City Hall, Lansing, Michigan, and will con-

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duct a public hearing on the advisability of approving by resolution the project plan.

The City Council may approve, modify or reject said project plan.

This Notice is given pursuant to the requirements of Sections 10 and 17 of Act No. 338, Public Acts of Michigan, 1974, as amended. Further information, including maps, plats and a description of the proposed project plan, are available for public inspection at the City Clerk's office.

All interested citizens are encouraged and will be offered an opportunity at said hearing to address the City Council concerning any aspect of said project plan.

THEO FULTON,
City Clerk.

4. The Council does hereby determine that the foregoing form of notice and the manner of publication directed is adequate notice to the citizens of the City and is well calculated to inform them of the intention of the City Council to hold a public hearing and the purpose of the public hearing.

5. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same hereby are rescinded.

Ayes: Councilmen Belen, Blair, Brenke, Gunther, Lindemann and Worthington.

Nays: None.

Resolution declared adopted.

THEO FULTON,
City Clerk.

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City Council of the City of Lansing, County of Ingham, Michigan, at a regular meeting held on November 23, 1981, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, and that the minutes of said meeting were kept and will be or have been made available as required by said Act.

THEO FULTON,
City Clerk.

By Committee on PUBLIC PROPERTIES AND SAFETY—

Resolved by the City Council of the City of Lansing:

Whereas, the Administration has been unsuccessful in marketing excess City-owned property on Raymond Drive; and

Whereas, one negative factor in the attempt to find interested buyers has been the variety of conditions of sale established by the City Council; and

Whereas, the Committee on Public Properties and Safety still encourages the sale of this property, provided the buyer's intended use does not cause undue problems for the residents of Raymond Drive;

Now, Therefore, Be It Resolved the Lansing City Council hereby rescinds all previous resolutions regarding the proposed sale of Raymond Drive property to Hamco Corporation; and

Be It Further Resolved, this matter is referred back to the Planning Board for recommendations on the best method of marketing the land, including access via Spikes Avenue only.

Adopted by the following vote:

Unanimously.

## PUBLIC IMPROVEMENT V

By PHYSICAL DEVELOPMENT COMMITTEE—

Resolved by the City Council of the City of Lansing:

That the supplementary special assessment roll for razed residence on S. Clemens per City Council order of August 3, 1981:

Assessment Roll No. 44K
Location —
(was) 616 S. Clemens

as returned by the City Assessor be and the same is hereby ratified and confirmed, and that the Mayor be and hereby is directed to affix within ten days, his warrant directing the City Treasurer to refund to all persons who have paid said tax as originally assessed the pro rata amount of difference as shown in said supplementary roll, and collect all unpaid tax as shown on said roll on or before February 23, 1981.

By COUNCILMAN WORTHINGTON — COMMITTEE ON PHYSICAL DEVELOPMENT —

Resolved by the City Council of the City of Lansing:

FCF-6-81
2900 Colchester

Whereas in accord with the provisions of Act 28, P.A. 1977 of the State of Michigan Department of Social Services has referred a request by Theodore and Connie Gauss for the licensing of a foster care facility to house a maximum of one (1) foster adult upon the premises known as 2900 Colchester, more particularly described as:

Lot 67, exc. Ely 5 ft.; also exc. Wly 5 ft, Sunset Hills No. 3, City of Lansing, Ingham County, Michigan; and

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Whereas upon reviewing the application, the Planning Department found that:

(1) The proposed foster care family home would be licensed to allow the care of a member of the immediate family, and

(2) No other similar existing facilities are located within 1500 feet of the proposed facility; and

Whereas the Committee on Physical Development, to whom the report of the Planning Department was referred, recommends waiving the public hearing process and directs the Planning Department to give appropriate notification of the proposal to license the above described property;

Now, Therefore, Be It Resolved that the Council of the City of Lansing hereby waives the right to further comment on the above described Adult Foster Care Family Home, so long as only members of the immediate family are housed on the premises.

Adopted by the following vote:

Unanimously.

Agenda Item3c1

By COUNCILMAN WORTHINGTON—

Resolved by the City Council of the City of Lansing:

That the Lansing City Council will hold a public hearing on Monday, December 7, 1981 at 7:00 P.M. in the City Council Chambers, 10th floor, City Hall to consider a request by The Wohlert Corporation to vacate a portion of the 1100 block of Case Street to provide space for expansion of their business.

Adopted by the following vote:

Unanimously.

By COUNCILMAN WORTHINGTON—

Whereas, it is deemed desirable to amend the Classification provided for in the Zoning Code of the City of Lansing, passed on the 13th day of November, 1958, in the following particulars, viz:

That property described as:

Z-29-81—1111, 1115, 1117, 1119, 1125, 1129, 1133, 1135, 1137, and 1139 Ballard Street,

be re-zoned from "C" Two Family Residential District to "J" Parking District and the "Map" be changed to indicate such transfer;

Therefore, be it resolved, that the City Clerk shall give at least fifteen days notice of a public hearing when all persons interested may attend and make any objections they may have to such proposed changes in said Zoning Code.

Resolved further, that such hearing shall be held at the Council Chamber in the City Hall on the 7th day of December, 1981, at 7:00 o'clock p.m., and that notice of such hearing be published in the official publication of said city, as required by law.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PHYSICAL DEVELOPMENT—

Resolved by the City Council of the City of Lansing:

Whereas, the Physical Development Committee is hereby discharged; and

Whereas, it is deemed desirable to amend the classification provided for in the Zoning Code of the City of Lansing, passed on the 13th day of November, 1958, in the following particulars, viz:

Issuance of a special use permit to allow operation of a sanitary landfill on that property described as:

SUP-17-78—S.W. corner of Coleman Road and Wood Street.

Therefore, Be It Resolved that the City Clerk shall give not less than 5 and not more than 15 days notice of a public hearing when all persons interested may attend and make any objections they may have to such proposed changes in said special use permit; and

Resolved Further, that such hearing shall be held at the Council Chamber in the City Hall on the 14th day of December, 1981, at 7:00 o'clock p.m., and that notice of such hearing be published in the official publication of said city, as required by law.

Adopted by the following vote:

Unanimously.

By COMMITTEE OF THE WHOLE—

Resolved by the City Council of the City of Lansing:

Whereas, a vacancy exists on the Lansing Cable Television Advisory Board; and

Whereas, Continental Cablevision of Michigan has nominated Ms. Becci Donne, 2310 Bost Blvd., Lansing, for confirmation by the City Council to fill the vacancy;

Now, Therefore, Be It Resolved, the Lansing City Council hereby confirms the appointment of Becci Donne to the Lansing Cable TV Advisory Board, effective immediately.

Adopted by the following vote:

Unanimously.

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By COMMITTEE OF THE WHOLE—

Resolved by the City Council of the City of Lansing:

Whereas, it is the intention of the Lansing City Council to change the name of East High Street from North High Street to Lake Lansing Road; and

Whereas, it is the intention of the Lansing City Council to name the new section of road from North High Street to U.S. 27 Lake Lansing Road; and

Whereas, those persons affected by said name change are entitled to express their concerns, suggestions and/or support at a public hearing;

Now, Therefore, Be It Resolved the City Council of the City of Lansing hereby authorizes the City Clerk to notify those affected property owners and schedule a public hearing date for Monday, December 14th, 1981, in the Council Chambers at 7:00 p.m.

Adopted by the following vote:

Unanimously.

By COMMITTEE OF THE WHOLE—

Resolved bythe City Council of the City of Lansing:

Whereas, it is the intention of the Lansing City Council to change the name of Mill Street from Michigan Avenue south to its terminus to "Museum Drive," and

Whereas, those persons affected by said name change are entitled to express their concerns, suggestions and/or support at a public hearing,

Now, Therefore, Be It Resolved, the City Council of the City of Lansing hereby authorizes the City Clerk to notify those affected property owners and schedule a public hearing date for Monday, December 14th, 1981, in the Council Chambers at 7:00 p.m.

Adopted by the following vote:

Unanimously.

By COUNCILMAN GUNTHER—

Resolved by the City Council of the City of Lansing:

That the following Transfer be approved:
$300.00 from General Fund Estimated Revenues
A/C 101-000-000-160

$300.00 to Police Citizens Contribution
A/C 101-305-000-956

I hereby certify that this is a properly drawn and eligible transfer.

JAMES W. DOWSETT,
Finance Director.

Adopted by the following vote:

Unanimously.

By COUNCILMAN GUNTHER—

Resolved by the City Council of the City of Lansing:

That Councilmen Adado and McKane be excused from the session.

Carried.

## REMARKS BY THE MAYOR'S EXECUTIVE ASSISTANT

No comment.

## REMARKS BY THE CITY COUNCIL — SUSPENSION OF RULES

By COUNCILMAN BRENKE—

Resolved by the City Council of the City of Lansing:

That the rules of the Council be waived for the purpose of presenting items that are not listed on the agenda.

Carried.

Request from Capital City Latinos Organization for special 24-hour liquor permit for November 28, 1981, at the Armory on Elvin Court.

By COUNCILMAN BRENKE—

That said request be approved.

Carried.

By COUNCILMAN WORTHINGTON—

Whereas, it is deemed desirable to amend the Classification provided for in the Zoning Code of the City of Lansing, passed on the 13th day of November, 1958, in the following particulars, viz:

That property described as:

SUP-8-81 — 831 N. Sycamore St., (Overnight shelter for those who are homeless and in need of a place to sleep.)

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Therefore, be it resolved, that the City Clerk shall give at least fifteen days notice of a public hearing when all persons interested may attend and make any objections they may have to such proposed special use permit.

Resolved further, that such hearing shall be held at the Council Chamber in the City Hall on the 14th day of December, 1981, at 7:00 o'clock p.m., and that notice of such hearing be published in the official publication of said city, as required by law.

Adopted by the following vote:

Unanimously.

By COUNCILMAN BLAIR—

Resolved by the City Council of the City of Lansing:

Whereas, November 15, 1981, marks the 100th anniversary of the founding of the Federation of Organized Trades and Labor Unions, which evolved into the American Federation of Labor and Congress of Industrial Organizations (AFL-CIO), and inaugurated the establishment of the modern American trade union movement, and

Whereas, since that time trade unions have played an increasingly effective part in winning for their members the right to decent wages, safe and healthful working conditions, and dignified enjoyment of their leisure time and retirement years, and

Whereas, America's local communities benefited directly from the activities of AFL-CIO trade unions, both on behalf of their members and in the championing of the rights and progress of all Americans, and

Whereas, the trade union movement is an effective and accepted part of our local social and economic fabric, providing for stability and progress through its continuing contributions toward the advancement of job opportunities to all who wish to work, and

Whereas, trade unions are in the forefront of the battles to do away with discrimination, to improve the quality of community life, and to open new opportunities for individual advancement, on behalf of those who often have no other effective champion, and

Whereas, we now take for granted many of the accomplishments of AFL-CIO trade unions in the area of decent wages and working conditions, in erecting bars against the exploitation of the weak and defenseless, in providing opportunities for training and eduaction of the unskilled, and in the safeguarding of the community interest against the assault of special interests, and

Whereas, the continued existence of strong and effective trade unions among us is a measure of the place they have won in the basic fabric of our society, to be cherished and fostered as a matter of civic pride,

Therefore, Be It Resolved, that the City Council of the City of Lansing hereby congratulates the AFL-CIO and the Greater Lansing Labor Council on the century of progress it has achieved, and joins in commemorating Labor's Centennial, and

Be It Further Resolved that a copy of this resolution be furnished to the officers of the Greater Lansing Labor Council.

Adopted by the following vote:

Unanimously.

Mr. Glen Freeman accepted the resolution.

Councilman Blair announced hat applications are now available for the vacancy that will occur for the Third Ward Councilman when Councilman McKane takes over as Mayor on January 1, 1982. They are to be filed in the office of the City Clerk. They would like them back by December 15, 1981, and no later than December 21, 1981.

Councilman Lindemann spoke about the condition of the property at 522 N. Clemens St. Building Commissioner Kzeski responded.

Al Chapman, 434 S. Magnolia, son of the owner of 522 N. Clemens, spoke and thanked the neighbors for their patience and his plans for the repairs to be done.

Carol Shull, 826 N. Walnut St., spoke about changes in days and hours she had heard about relative to the City Market. Mr. Finley, Park Director, spoke and announced there was to be a public hearing relative to this December 2, 1981.

By COUNCILMAN BRENKE—

That this meeting stand adjourned.

Carried.

Council adjourned at 7:45 P.M.

THEO FULTON,
City Clerk.

Lansing, Michigan

November 23, 1981

F/B

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CITY CLERK'S OFFICE
Room 921, City Hall
Lansing, Michigan 48933

Address Correction Requested

BULK RATE
U. S. POSTAGE
PAID
Permit No. 1461
Lansing, Michigan



# OFFICIAL PROCEEDINGS OF
# THE CITY COUNCIL
## OF THE CITY OF LANSING

## Proceedings, November 30, 1981

CITY COUNCIL ROOMS

Lansing, Michigan

November 30, 1981

The City Council of the City of Lansing, Michigan, met in regular session and was called to order by President Belen.

Prsent: Councilmen Belen, Brenke, Gunther, Lindemann, McKane, Worthington—6.
Absent: Councilmen Adado, Blair—2.

The Clerk announced that a quorum of the Council was present.

Councilman Worthington asked for a moment of silent prayer for Paul Trescott, Police Commissioner, who had died on Monday morning.

Pledge of Allegiance was led by Councilman Worthington.

HEARING ON PROPOSED CHANGES IN ZONING CLASSIFICATIONS

November 30, 1981, at 7:00 o'clock being the time set as the time for holding a hearing on the proposed changes in the Classifications as provided for in the Zoning Code which was passed by the City Council on November 13, 1958, said proposed amendment being as follows:

That the property described as:

Z-30-81 — 3300 Brisbane St.,

be rezoned from "A" One Family Residential District to "C" Two Family Residential District.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed amendmen(s) to the Classifications provided for in the Zoning Code he had the privilege of speaking at this time.

Letter from Donald A. Muentener in opposition to the rezoning.

H. E. Krentzinger, 3226 Brisbane, presented petition in opposition.

Referred to Committee on Physical Development.

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November 30, 1981, at 7:00 o'clock being the time set as the time for holding a hearing on the proposed changes in the Classifications as provided for in the Zoning Code which was passed by the City Council on November 13, 1981, said proposed amendment being as follows:

That the property described as:

Z-26-81 — 406 Fenton St.,

be rezoned from "A" One Family Residential District to "F" Commercial District.

The Council President anounced that if there was anyone present who had any suggestions or objections to make to the proposed amendment(s) to the Classifications provided for in the Zoning Code he had the privilege of speaking at this time.

No objections were made to the proposed amendment(s).

Bud Dockter, representing the Wolverine Development Corp., spoke.

Referred to Committee on Physical Development.

**THE PUBLIC MAY NOW ADDRESS THE CITY COUNCIL ON ANY OF THE FOLLOWING ITEMS LISTED ON THE AGENDA: COMMUNICATIONS AND PETITIONS, COMMITTEE REPORTS, REPORTS OF CITY OFFICERS AND BOARDS, AND RESOLUTIONS. YOU MAY SPEAK ONLY FOR 3 MINUTES ON ANY ONE ITEM.**

Committee Report No. 2 and Resolution No. 2 removed from the agenda, on by mistake.

Eloise Lucan, 1119 S. Holmes St., crossing guard at corner of Holmes and Walsh, spoke in regard to letter from the Mayor "h" in regard to school crossing guards.

## COMMUNICATIONS AND PETITIONS

The following applications and bonds have been filed for licenses:

SECOND HAND DEALER —
Lansing Liquidation Center.

Referred to Committee on General Services.

Summons and Complaint filed in District Court by Lemuel Goins vs City of Lansing for injuries sustained while being placed in the Lansing City Jail.

Referred to Mayor, City Attorney.

Petition filed for rezoning:

Z-44-81 —

A part of Section 32, T4N, R2W, City of Lansing, commencing 24717 feet West of Northeast corner of Section 32, thence South 40 R, West 181 feet, North 40 R, East 181 feet to beginning, City of Lansing, Ingham County, Michigan, from "A" One Family Residential District to "B" One Family Residential District — (1419 West Holmes Road).

Referred to Mayor, Planning Board.

Application filed for Commercial Facilities Exemption Certificate for Eyde Construction Company at 5015 S. Cedar St.

Referred to Mayor, Economic Development Corporation, Committee on Economic Development.

Request from The Capital Caravan Club of Elf Khurafeh Temple for special 24-hour liquor permit for December 12, 1981, at the National Guard Armory.

By COUNCILMAN GUNTHER—

That said request be approved and all signatures be obtained.

Carried.

Department of Natural Resources submits application for a flood plain permit for Mr. Robert Busby.

Received and placed on file.

**MAYOR'S EXECUTIVE ASSISTANT COMMENTS ON ANY ITEM ON THE AGENDA:**

Mr. Black spoke in regard to the Christmas Program that will be presented on December 4, 1981, and the lighting of the Christmas tree in front of the Capitol Building.

Agenda Item 1

## REPORTS OF COMMITTEES

The Committee on GENERAL SERVICES approves the following applications and bonds for licenses:

SECOND HAND DEALER —
Lansing Liquidation Center.

Signed:

WILLIAM A. BRENKE,
PAT LINDEMANN,
Committee on General Services.

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

By COUNCILMAN BRENKE—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

The Committee on PUBLIC PROPERTIES AND SAFETY, to whom was referred the status report on the Intermodal Transportation Terminal Project, reports as follows:

The Administration is requested to provide updated fair market value appraisals of the properties containing the Lansing Laundry and City Fish buildings, for consideration of possible purchase by the City. The Administration is also requested to forward any immediate recommendations on future acquisition and development of these properties.

Signed:

PAT LINDEMANN,
SIDNEY P. WORTHINGTON,
Committee on Public Properties and Safety.

By COUNCILMAN LINDEMANN—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

## REPORTS OF CITY OFFICERS AND BOARDS

November 24, 1981

Council President Lucile Belen and
Members of the Lansing City Council

10th Floor, City Hall

Lansing, Michigan 48933

Dear Council President and Members:

It is with very deep regret that I inform you of the decision of Fire Chief Peter J. Decker to resign, effective January 1, 1982.

Chief Decker has served with the Lansing Fire Department for over 34 years, having joined the force on May 1, 1947. He was promoted to engineer on March 17, 1955; to Lieutenant on July 5, 1964; to Captain on December 29, 1968; to Training Instructor on November 5, 1972, and to Assistant Chief on May 1, 1973. He was named Acting Chief on October 23, 1978, pending City Council's adoption of department head qualifications.

Chief Decker has earned a fire science degree from Lansing Community College and has served the college as fire science technology advisor and instructor. He possesses a basic training certificate from the regional fire training school at the University of Michigan. In addition, Chief Decker has participated in various seminars on firefighting techniques and management, including the first seminar in the United States on high-rise firefighting techniques.

Chief Decker served nearly three years with the United States Navy, receiving an honorable discharge on March 24, 1946, attaining the rank of Seaman 1st Class. He served in the North American and European theaters, as a gun crew member aboard cargo ships.

Chief Decker is a life-long resident of Lansing, presently living at 2612 Chatham Road with his wife Norma. They have nine children. Chief Decker was graduated in 1943 from St. Mary's Cathedral High School in Lansing.

Chief Decker comes from a family of Lansing firefighters. His father, Charles Decker, who died in May, 1978, served as Chief from November 1952 until April 1959. A brother, Huey Decker, serves as a lieutenant in the fire department.

Chief Decker's decision was given to Board of Fire Commissioners Chairman Richard Paulson on Monday, November 24, 1981, and the Fire Board is beginning its process of determining which individuals in the Lansing Fire Department might be best suited as candidates for Fire Chief. However, it has already become apparent to me that the qualifications established by City Council for this position are so excessive that it is doubtful whether any existing firefighter with the City of Lansing can meet those criteria. I am a firm believer of the concept of internal promotions, and I believe that the Lansing Fire Department has been served well over the years in this manner. I am further concerned that if this position is not filled from within, that a substantial period of time might elapse while a selection search is conducted on a statewide or regional basis. I do not think this is in the best interests of the Fire Department or the City as a whole. Therefore, I am recommending at this time that City Council waive the requirement that the Fire Chief have 16 quarter hours of supervisory management experience to open up the consideration for this position to a greater number of candidates.

I do not intend to have any influence in the selection of Chief Decker's successor. That is a decision to be left to Mayor-elect McKane and the Board of the Fire Commissioners. I do believe, however, that your waiver of this requirement would best serve the selection process, and that this action should be taken as quickly as possible.

I urge you to join me in wishing Chief Decker and his wife, Norma, every success in their future endeavors.

Sincerely,

GERALD W. GRAVES,
Mayor.

Received and placed on file.

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DATE: 11/20/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with the attached correspondence from the Public Service Director. Re: Final cost on 1980 curb and gutter construction contract, Account No. 801-936-000-974.280

The attached correspondence is forwarded with my concurrence for your action. A Public Improvement V is required.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Physical Development.

DATE: 11/23/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Public Service Director. Re: Final cost of construction contract for storm and sanitary sewers on Rolfe St. and others — Account No. 801-936-000-974.279

The attached correspondence is forwarded with my concurrence for your action. A Public Improvement V will be necessary.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Physical Development.

DATE: 11/24/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Submission of attached correspondence from the Parks Director. Re: Proposed Donation of Property (Rowland Stebbins)

The attached correspondence is submitted for your information. No action should be underatken until the Act 285 review is completed.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Public Property and Safety.

November 24, 1981

Council President Lucile Belen and
Members of the Lansing City Council

10th Floor, City Hall

Lansing, Michigan 48933

Dear Council President and Members:

This office has been recently informed by Joseph Popevich, a member of the Human Resources Advisory Board, that because of work commitments he is unable to attend meetings held on Tuesday or Thursday evenings — the Human Resources Advisory Board meets on the second Thursday of the month.

Therefore, I am forwarding to you for your consideration and confirmation, the recommendation that Mr. Popevich be transfered to the Public Service Board to fill out the term of recently deceased Bud Rutter, which term expires in June of 1985. As the Public Service Board meets on Wednesday evenings, Mr. Popevich is available to attend the meetings of this Board.

Mr. Popevich is a fine young man who has always been more than willing to give of his time for the good of the City of Lansing. I am sure his dedication will continue as a member of the Public Service Board.

Trusting this recommendation meets with your approval, I remain

Sincerely,

GERALD W. GRAVES,
Mayor.

Referred to Committee on Physical Development.

November 24, 1981

Council President Luicle Belen and
Members of the Lansing City Council

10th Floor, City Hall

Lansing, Michigan 48933

Dear Council President and Members:

Due to the transfer of Joseph Popevich from the Human Resources Advisory Board to the Public Service Board, a vacancy has resulted on the first mentioned board. Therefore, I am recommending that Lillian Scieszka be transferred from the Waterfront Development Board to fill the vacancy on the Human Resources Advisory Board, which term expires in June of 1982.

Ms. Scieszka has enjoyed her association with the Waterfront Development Board and looks forward to serving as a member of the Human Resources Advisory Board.

Trusting this recommendation meets with your approval, I remain

Sincerely,

GERALD W. GRAVES,
Mayor.

Referred to Committee on Human Services.

November 23, 1981

Council President Lucile Belen and
Members of the Lansing City Council

10th Floor, City Hall

Lansing, Michigan 48933

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Dear Council President and Members:

In the recent past, Arthur Trierweiler, a member of the Board of Zoning Appeals, informed this office that he could no longer serve as a member of the Board due to the fact that he was moving out of the City of Lansing.

Also, recently Alfred Perrelli advised that he could no longer serve as a member of the Waterfront Development Board because of a conclict on the meeting dates of that Board.

Therefore, I am submitting to you for your consideration and confirmation, the name of Alfred Perrelli to serve as a representative of the First Ward to the Board of Zoning Appeals, which term expires in June of 1985. The meeting dates of the Board of Zoning Appeals meet with Mr. Perrelli's schedule.

Mr. Perrelli has been an excellent member of the Waterfront Development Board and I am sure he will continue to serve the City of Lansing in a dedicated manner on the Board of Zoning Appeals.

Trusting this recommendation meets with your approval, I remain

Sincerely,

GERALD W. GRAVES,
Mayor.

Referred to Committee on Physical Development.

November 13, 1981

Council President Lucile Belen and
Members of the Lansing City Council

10th Floor, City Hall

Lansing, Michigan 48933

Dear Council President and Members:

Please find attached a report submitted from the Lansing Police Department on the School Crossing Guard Study as requested by City Council during development of the FY 81-82 budget. I have reviewed the study and concur in the methodology used and the resultant locations recommended for continuation of crossing guard positions.

As City Council is aware, funding included in the FY 81-82 budget continues all crossing guard locations until the end of January, and then twenty-four positions through the end of the school (and fiscal) year.

The committee established for this study has expressed a concern for the City's liability in those instances where a crossing guard's position was previously funded and subsequently deleted by actions of the City. In discussing these concerns with the City Attorney, the Attorney has verbally advised that the City's liability is no worse than the liability which may exist at any street intersection. That is, while the City has a general responsibility to maintain its streets in an orderly and safe manner for vehicles and pedestrians, there is no inherent obligation to permanently maintain such traffic control devices as signs, equipment or personnel when no longer proven as necessary.

I ask for City Council's adoption of this study so that reduction in these positions, as currently funded, may be implemented in a timely fashion. I urge City Council to avoid the temptation to selectively accede to the requests of any particular neighborhood in favoring one crossing guard location over another. I am pleased that this review has been conducted to determine the most appropriate locations overall, rather than continuing such staffing merely because "we have always had one at this corner."

The Police Department and Personnel Department are working to determine seniority dates of these employees so that positions wihch remain funded will be granted to the most appropriate employees based upon seniority, length of time at a given location and job performance and reliability. The City will also attempt to give additional consideration to any crossing guards laid off for other contractual positions which may be available through the City of Lansing.

Your prompt adoption of this report is requested. I will be glad to provide appropriate staff to discuss contents of this report.

Sincerely,

GERALD W. GRAVES,
Mayor.

Referred to Committee on Public Property and Safety and Committee on Ways and Means.

DATE: 11/25/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Traffic Engineer. Re: Recommendation to remove "ONE HOUR" time zone restriction on north side of east-west section of Jason Court

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Public Property and Safety.

DATE: 11/25/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Traffic Engineer. Re: Recommendation for new traffic control measures on Lake Lansing Road.

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The attached correspondence is forwarded wiht my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Public Property and Safety.

DATE: 11/25/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Traffic Engineer. Re: Citizen petition for prohibition of parking on one side of Lathrop Street between Walsh and Perkins Street

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Public Property and Safety.

DATE: 11/25/81

TO: City Council President and Members of Lansing City Council

FROM: Gerald W. Graves, Mayor

SUBJECT: Letter from Traffic Engineer regarding request for installation of a 4-way stop at intersection of New York Street and North Street

The attached is forwarded for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Public Property and Safety.

DATE: 11/25/81

TO: Council President and Members of Lansing City Council

FROM: Gerald W. Graves, Mayor

SUBJECT: Letter from Traffic Engineer regarding ACORN request for stop signs in area of Vermont, David and Wieland streets

The attached is forwarded for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Public Property and Safety.

DATE: 11/25/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Traffic Engineer. Re: Recommendation to remove prohibition for southbound left turns at intersection of Washington Avenue and Elm Street

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Public Property and Safety.

DATE: 11/25/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Traffic Engineer. Re: Recommendation to install stop signs on Lathrop at Elizabeth Street.

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Public Property and Safety.

DATE: 11/25/81

TO: Council President and Members of Lansing City Council

FROM: Gerald W. Graves

SUBJECT: Letter from Traffic Engineer regarding request for stop signs at Picardy and Radford streets; Pheasant and Webster streets! and, Pheasant and Pollard streets

The attached is forwarded for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Public Property and Safety.

November 29, 1981

Council President Lucile Belen and
Members of the Lansing City Council

10th Floor, City Hall

Lansing, Michigan 48933

Dear Council President and Members:

I have directed the Convention/Exhibition Committee, chaired by Mr. Alan Tubbs, to proceed with the demolition of all the buildings acquired by the City on the Convention Center Site. I understand that the bid specifications have been completed and funds are available to proceed with the project.

I have further directed that the demolition occur in a time frame which allows completion prior to the imposition of spring load limits on area roads. Should anything occur which makes such a scheduled demoliiton impossible I will, during the remain-

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der of my tenure in office, keep you informed.

Sincerely,

GERALD W. GRAVES,
Mayor.

Referred to Committee on Public Property and Safety.

## RESOLUTIONS

By COMMITTEE OF THE WHOLE—

Resolved by the City Council of the City of Lansing:

Whereas, Walter Patenge has made outstanding contributions to the Lansing area as a major employer, and outstanding businessman, and a leader in civic and community affairs; and

Wheres, Walter Patenge has served his church, his service club, as a past Governor and Treasurer of Michigan's Kiwanis International and a true giver of self for the good of all; and

Whereas, Mr. Patenge continues to serve this community in numerous ways including service as a Member of the Board of Lansing General Hospital, Member of the Board of the R. E. Olds Museum, Chairman of the Board of Trustees of the College of Osteopathic Medicine at Michigan State University, Chairman of the Advisory Board of the Impression Five Museum; and

Whereas, Mr. Patenge is being honored this evening, November 30, 1981, by the Impression Five Museum;

Now, Therefore, Be It Resolved, that the Lansing City Council does hereby recognize the accomplishments of Mr. Walter Patenge and salutes him for his outstanding contributions to the Lansing area.

Adopted by the following vote:

Unanimously.

By COMMITTEE OF THE WHOLE—

Resolved by the City Council of the City of Lansing:

WHEREAS: Miss Theo Fulton has been a dedicated employee an dofficial of the City of Lansing for 52 years; and

WHEREAS: Miss Theo Fulton has for the last 16 years served this City as the City Clerk, a post of which she was re-elected three times; and

WHEREAS: It is the desire of this Council to recognize Miss Fulton's many years of dedicated service and to commemorate her retirement from the post of City Clerk,

NOW, THEREFORE, BE IT RESOLVED: That this Council hereby proclaims Tuesday, December 1, 1981 as Theo Fulton Day in Lansing; and

BE IT FURTHER RESOLVED: That the citizens of Lansing be encouraged to join us in celebrating Miss Fulton's retirement at her Recognition Night, to be held at the Civic Center on Tuesday evening, December 1, 1981, from 7:00 p.m. to 10:00 p.m.

Adopted by the following vote:

Unanimously.

By COMMITTEE OF THE WHOLE—

Resolved by the City Council of the City of Lansing:

Whereas, the sale of the Paulson Park property and Coleman Road property as more fully described in the proposed agreement to sell, option to purchase and public notice attached hereto, to Granger Land Development Company has been recommended by the Committee on Public Properties and Safety and the Committee on Physical Development; and

Whereas, the proposal terms and conditions of said sale have been on file for 30 days at the office of the City Clerk; and

Whereas, a public hearing on said sale has been duly noticed and held; and

Whereas, it appears that the retention for said lands will serve no public purpose; and

Whereas, the sale of said properties, as proposed, will benefit the City of Lansing;

Now, Therefore, Be It Resolved, that the sale of the Coleman Road property to, and the entry into an option to purchase the Paulson property with, the Granger Land Development Company, on terms substantially the same as the agreements attached hereto, is hereby approved; and

Be It Further Resolved, the Mayor and City Clerk are hereby authorized to sign such documents as are necessary to effect said sale and option to purchase.

Adopted by the following vote:

Unanimously.

## PUBLIC IMPROVEMENT V

By PHYSICAL DEVELOPMENT COMMITTEE—

Resolved by the City Council of the City of Lansing:

That the supplementary special assessment roll for demolition of residential type building used for offices:

Assessment Roll No. 46 K

Location —
2001 Turner St.

as returned by the City Assessor be and the same is hereby ratified and confirmed, and that the Mayor be and hereby is directed to affix within ten days, his warrant directing the City Treasurer to refund to all persons who have paid said tax as originally assessed the pro rata amount of dif-

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ference as shown in said supplementary roll, and collect all unpaid tax as shown on said roll on or before March 2, 1982.

Adopted by the following vote:

Unanimously.

By PHYSICAL DEVELOPMENT COMMITTEE—

Resolved by the City Council of the City of Lansing:

That the supplementary special assessment roll for demolition of residential structure:

Assessment Roll No. 45 K

Location —
(was) 816 N. Pennsylvania

as returned by the City Assessor be and the same is hereby ratified and confirmed, and that the Mayor be and hereby is directed to affix within ten days, his warrant directing the City Treasurer to refund to all persons who have paid said tax as originally assessed the pro rata amount of difference as shown in said supplementary roll, and collect all unpaid tax as shown on said roll on or before March 2, 1982.

Adopted by the following vote:

Unanimously.

## REMARKS BY THE MAYOR'S EXECUTIVE ASSISTANT

No remarks.

## REMARKS BY THE COUNCIL — SUSPENSION OF RULES

By COUNCILMAN WORTHINGTON—

Resolved by the City Council of the City of Lansing:

That the rules of the Council be waived for the purpose of presenting items that are not listed on the agenda.

Carried.

By COMMITTEE ON PHYSICAL DEVELOPMENT—

Resolved by the City Council of the City of Lansing:

Whereas, the City of Lansing has petitioned to rezone the property situated at the Southwest corner of Coleman Road and Wood Street from "A" residential to "I" heavy industrial by petition file No. Z-46-78; and

Whereas, the Lansing Planning Board has recommended approval of said petition; and

Whereas, a public hearing on said petition has been duly noticed and held before the Lansing City Council; Now Therefore,

Be It Hereby Resolved that the land situated at the Southwest corner of Coleman Road and Wood Street and more fully described as:

The West ½ of the Southwest ¼ of the Southeast ¼ of Section 34, T5N, R2W, City of Lansing (formerly DeWitt Township), Clinton County, Michigan; And Also, the Southeast ¼ of the Southwest ¼ of Section 34, T5N, R2W, Excepting Therefrom, a parcel in the Northwest corner thereof which is 50 feet East and West by 610 feet North and South, City of Lansing (formerly DeWitt Township), Clinton County, Michigan; And Also, the East ¾ of the South ½ of the Southeast ¼ of Section 34, T5N, R2W, Excepting Therefrom, a parcel in the Southeast corner thereof which is 350 feet East and West by 500 feet North and South, City of Lansing (formerly DeWitt Township), Clinton County, Michigan.

is rezoned from "A" residential to "I" Heavy Industrial pursuant to the provisions of the Zoning Code of the City of Lansing, Michigan.

Adopted by the following vote:

Unanimously.

By COUNCILMAN GUNTHER—

Resolved by the City Council of the City of Lansing:

That Councilmen Adado and Blair be excused from the session.

Carried.

Invitation presented to a Forum to foster unity, solidarity and friendship at a reception on December 8, 1981 from 6 to 9:30 p.m. at Quality Inn, 3121 E. Grand River Avenue.

By COUNCILMAN BELEN—

That this meeting stand adjourned.

Carried.

Council adjourned at 7:45 p.m.

THEO FULTON,
City Clerk.

Lansing, Michigan

November 30, 1981

F/B

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CITY CLERK'S OFFICE
Room 921, City Hall
Lansing, Michigan 48933

Address Correction Requested

BULK RATE
U. S. POSTAGE
PAID
Permit No. 1461
Lansing, Michigan



# OFFICIAL PROCEEDINGS OF
# THE CITY COUNCIL
## OF THE CITY OF LANSING

## Proceedings, December 7, 1981

CITY COUNCIL ROOMS

Lansing, Michigan

December 7, 1981

The City Council of the City of Lansing, Michigan, met in regular session and was called to order by President Belen.

Present: Councilmen Belen, Brenke, Gunther, Lindemann, Worthington—5.

Absent: Councilmen Adado, Blair, McKane—3.

The Clerk announced that a quorum of the Council was present.

Invocation was given by Councilman Gunther.

Pledge of Allegiance was led by Councilman Gunther.

### PUBLIC HEARING

December 7, 1981, at 7:00 o'clock being the time set as the time for holding a public hearing on the proposed project plan concerning the Bauch Building Capitol Hall Project.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed plan they had the privilege of speaking at this time.

Referred to Committee on Economic Development.

### PUBLIC HEARING

December 7, 1981, at 7:00 o'clock being the time set as the time for holding a public hearing on the proposed order to demolish or make safe the structure located at 420 S. Pennsylvania Avenue.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed order to demolish or make safe they had the privilege of speaking at this time.

Ed. Kapalla, 907 Hickory, spoke and presented petitions.

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Robt. Hull, 425 S. Holmes, representing the East Side Neighborhood Organization, spoke in favor of the demolition.

Referred to Committee on General Services.

The following two (2) public hearings are to be addressed simultaneously.

**HEARING ON PROPOSED CHANGE IN ZONING CLASSIFICATION**

December 7, 1981, at 7:00 o'clock being the time set as the time for holding a hearing on the proposed changes in the Classifications as provided for in the Zoning Code which was passed by the City Council on November 13, 1958, said proposed amendment being as follows:

That the property described as:

Z-29-81 — 1111, 1115, 1117, 1119, 1125, 1129, 1133, 1135, 1137 and 1139 Ballard Street,

be rezoned from "C" Two Family Residential District to a "J" Parking District.

The Council President anounced that if there was anyone present who had any suggestions or objections to make to the proposed amendment()s to the Classifications provided for in the Zoning Code he had the privilege of speaking at this time.

Referred to Committee on Physical Development.

**PUBLIC HEARING**

December 7, 1981, at 7:00 o'clock being the time set as the time for holding a public hearing on the proposed request of the Wohlert Corporation to vacate a portion of the 1100 block of Case Street to provide space for expansion of their business.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed vacation they had the privilege of speaking at this time.

Referred to Committee on Physical Development and Committee on Public Property and Safety.

The following persons spoke on the above:

Mike Covello, 722 Porter St., representing the American Marsh Pump Company.

Ken Pantange, President of Wohlert Corporation.

Karl Linquist, 3176 Green Rd., St. Johns, Mich., employee of the Wohlert Corp.

Dick Collins, 5864 Edison St., Union Representative.

Jim Donaldson, 801 Moores River Dr., Lansing Regional Chamber of Commerce and member of the Economic Development Corp.

Jim Jordan, Lansing Regional Chamber of Commerce and member of Economic Development Corporation.

Dale Martin, speaking for Motor Wheel Corp.

Rocky Gonzales, employee of Wohlert Corp.

Bill Hollister, representing Universal Steel Co.

Dennis Beals, 527 E. Fenton St., employee of Wohlert Corp.

Dick Lorencen of Sign Co.

Adam Pogancheff, 805 June St.

Delma Lopez, 1105 Ballard St.

Villegas Ramon, 1143 Case St., Northtown ACORN Committee, presented speakers:

1. Blagoy Pogencheff, 1509 E. Grnad River.
2. Mrs. Lankstrom, 1119 Ballard.
3. Chris Pogoncheff, 732 Clark St.
4. Esther Torres, 1112 Ballard St.
5. Julia Helm, 1105 Ballard St.
6. Vickie Chamberlain, 1504 Massachusetts Ave.
7. Charles Beamer, 814 E. Grand River.
8. Mary Haney, 1312 Roosevelt St.
9. Earl Reddish, 1411 Center St.
10. Metodi Pogoncheff, 1322 E. Michigan Ave.
11. Carl Evanoff, 1600 Lake Lansing Rd.
12. Lester Turner, Attorney, spoke on behalf of Washington Foods.
13. Roger Beamer, 828 E. Grand River.

Wayne Haney, 403 E. Grand River Ave.

**THE PUBLIC MAY NOW ADDRESS THE CITY COUNCIL ON ANY OF THE FOLLOWING ITEMS LISTED ON THE AGENDA: COMMUNICATIONS AND PETITIONS, COMMITTEE REPORTS, REPORTS OF CITY OFFICERS AND BOARDS, AND RESOLUTIONS. YOU MAY SPEAK ONLY FOR 3 MINUTES ON ANY ONE ITEM.**

No person spoke.

Resolutions 1a and b not on agenda.

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## COMMUNICATIONS AND PETITIONS

The following applications and bonds have been filed for licenses:

RUBBISH HAULER —
Roosevelt Artis, Jr.

AUTOMOBILE WRECKER —
A. A. Towing.

AUCTIONEER —
Robert W. Gillett.

SIGN ERECTOR —
City Sign Co.

PEDDLER —
Mark Wright.

Referred to Committee on General Services.

Summons filed in Circuit Court by Caroline Williams vs City of Lansing, Lansing Police Department, John Doe, Richard Doe and Thomas Doe in regard to arrest.

Referred to City Attorney, Mayor.

Claim filed by Douglas and James Dowdy for damage done to basement due to sewer backup.

Referred to City Attorney, Mayor.

Capital Area Transportation Authority submits letter of appreciation to the City Council for the endorsement and support that was given to CATA in the recent referendum election.

Received and placed on file.

Letter from Ralph W. Sims requesting action be taken on his claim of November 2, 1981.

Referred to Mayor, City Attorney.

Petition filed for installation for lighting in city alleys bounded by W. Mt. Hope Avenue, Osband St., Smith Avenue and Bradley Avenue.

Referred to Mayor, Board of Water and Light.

Application for a Commercial Redevelopment District filed by David Curtiss, First Michigan Investments at 2011 High St.

Referred to Mayor, Economic Development Corp., Committee on Economic Development.

Department of Natural Resources submits Flood Plain permit for Mr. Robert Busby.

Received and placed on file.

Notice from Consumers Power Co. of public hearing to be held on December 8, 1981, in the matter of the "Other Operation and Maintenance" expense indexing system as originally authorized by the Commission.

Received and placed on file.

## MAYOR'S EXECUTIVE ASSISTANT COMMENTS ON ANY ITEM ON THE AGENDA:

No comment.

Agenda Item 1

## REPORTS OF COMMITTEES

The COMMITTEE ON GENERAL SERVICES approves the following applications and bonds for licenses:

RUBBISH HAULER —
Roosevelt Artis, Jr.

AUTOMOBILE WRECKER SERVICE —
A. A. Towing.

AUCTIONEER —
Robert W. Gillett.

SIGN ERECTOR —
City Sign Co.

PEDDLER —
Mark Wright.

Signed:

WILLIAM A. BRENKE,
PAT LINDEMANN,
Committee on General Services.

By COUNCILMAN BRENKE—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

The COMMITTEE ON PUBLIC PROPERTIES & SAFETY, to whom was referred the matter of requests for stop signs in the area of Vermont, David and Wieland streets, reports as follows:

The Committee concurs with the recommendation of the Traffic Board to deny the request for stop signs at this location.

Signed:

PAT LINDEMANN,
SIDNEY P. WORTHINGTON,
Committee on Public
Properties and Safety.

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By COUNCILMAN LINDEMANN—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

The COMMITTEE ON PUBLIC PROPERTIES & SAFETY, to whom was referred the request for installation of a four way stop at the intersection of New York and North Streets, reports as follows:

The Committee concurs with the recommendation of the Traffic Board to deny the request for a four way stop at this location.

Signed:

PAT LINDEMANN,
SIDNEY P. WORTHINGTON,
Committee on Public
Properties and Safety.

By COUNCILMAN LINDEMANN—

That the report of the Committee be adpted.

Adopted by the following vote:

Unanimously.

The COMMITTEE ON PUBLIC PROPERTIES & SAFETY, to whom was referred the matter of stop signs at Picardy and Radford; Pheasant and Webster; and Pheasant and Pollard streets, reports as follows:

The Committee concurs with the recommendation of the Traffic Board to deny the requests for stop signs at the subject intersections.

Signed:

PAT LINDEMANN,
SIDNEY P. WORTHINGTON,
Committee on Public
Properties and Safety.

By COUNCILMAN LINDEMANN—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

## REPORTS OF CITY OFFICERS AND BOARDS

December 1, 1981

President Lucile Belen and
Members of Lansing City Council

Re: Board of Water and Light Attorney

Dear President Belen and
Members of City Council:

Please be advised that pursuant to your authorization, the Board of Water & Light has appointed Mr. Noble Lee to serve as its attorney. After having reviewed the qualifications of the applicants for the posiiton with the Board of Water & Light, I have determined that Mr. Lee is well qualified for the position and, therefore, concur in the Board's appointment. Mr. Lee began service with the Board of Water & Light on November 30, 1981.

Attached hereto for your information is a copy of a letter from me to Mr. Lee appointing him as a special Assistant City Attorney for the purpose of representing and advising the Board of Water & Light. I would respectfully request that the attached letter of appointment be included in the minutes of your meeting to preserve a record of the appointment.

Respectfully submitted,

STEPHEN R. SAWYER,
City Attorney.

Received and placed on file.

November 30, 1981

President Lucile Belen and
Members of City Council

Re: Claim of Loney Gordon in the amount of $87.30

Dear President Belen and
Members of City Council:

On June 29, 1981, Ms. Loney Gordon submitted a claim against the City of Lansing for the cleaning of a coat, replacement of a pair of hose and eyeglasses, along with related medical expenses, totalling $87.30. She alleges that these expenses were incurred as a result of a fall on uneven pavement in front of the Post Office at 12:10 p.m., March 2, 1981.

Howard McCaffery, Director of Public Service, has advised this office that his department was first made aware of this section of pavement later in the afternoon of Ms. Gordon's accident. Repairs were made March 10, 1981. There is no evidence that the City had actual notice or constructive notice that this defect existed prior to that date. Absent such notice or a showing that the defect had existed for thirty days or more, the provisions of MCLA 691.1403 are applicable, Beamon v Highland Park, 85 Mich App 242; 271 NW2d 187 (1978):

> "No governmental agency is liable for injuries or damages caused by defective [public walkways] unless the governmental agency knew, or in the exercise of reasonable diligence should have known, of the existence of the defect and had a reasonable time to repair the defect before the injury took place. Knowledge of the defect and time to repair the same shall be conclusively presumed when the defect existed so as to be readily apparent to an ordinarily ob-

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servant person for a period of 30 days or longer before the injury took place." MCLA 691.1403; MSA 3.996(103)

Thus under the facts presented, it is the opinion of this office that this claim should be denied.

Respectfully submitted,

STEPHEN R. SAWYER,
City Attorney.

By COUNCILMAN GUNTHER—

That we concur in the recommendation of the City Attorney and said claim be denied.

Carried.

November 30, 1981

President Luicle Belen and
Members of City Council

Re: Claim of Ghulam Rasul Sombal in the amount of $50.00

Dear President Belen and
Members of City Council:

On October 21, 1981, Ghulam R. Sombal contacted a plumber in reference to a plugged sewer at 321 W. Lapeer Street. The plumber ran a sewer cable from 321 W. Lapeer to the street and found no blockage. At 5 p.m. Mr. Sombal contacted the Public Service Department in regard to checking the main sewer. A Public Service crew was dispatched and upon arrival ascertained that a plug of rags and diapers was blocking the outlet of the sewer main. The City crew cleaned it out by 6:30 p.m. Mr. Sombal seeks reimbursement for the fee the plumber charged him for checking the lead from the house to the street sewer.

MCLA 691.1407; MSA 3.996(107) immunizes a municipality from tort liability when the municipality is engaged in the exercise of a governmental function. In Davis v City of Detroit, 98 Mich App 705 (1980), the Michigan Court of Appeals ruled that construction and operation of amunicipal sewer system is a governmental function. In addition, knowledge on the part of the municipality or a duty to have knowledge of the obstructed condition of the sewer is necessary to render a municipality liable where "governmental function" protection does not exist. See 11 McQuillin, Municipal Corporations (3d ed), §31.33. In this particular situation, it is clear that not only is the City protected from tort liability because of the "governmental function" doctrine but also because the City had no prior knowledge, actual or constructive of the plugged street sewer line until the complainant notified the City.

Therefore, based upon the application of the law to the above stated facts, it is the recommendation of this office that the claim of Ghulam Rasul Sombal for $50 be denied.

Respectfully submitted,

STEPHEN R. SAWYER,
City Attorney.

By COUNCILMAN GUNTHER—

That we concur in the recommendation of the City Attorney and said claim be denied.

Carried.

November 30, 1981

President Belen and Members
of the Lansing City Council

Re: Claim of Orby Gray in the amount of $778.75

Dear President Belen and
Members of City Council:

Claimant requested and received a permit from the Public Service Department to construct a concrete sidewalk at 226 S. Butler Street and a concrete drive approach at 230 S. Butler Street. Claimant alleges that shortly after completion of his concrete drive approach, the City's sewer contractor tore up and removed it. The claimant was not informed by the Public Service Department of the pending sewer construction in the 200 block of S. Butler at the time he applied for his construction permit. As a result, claimant alleges that he paid a total of 778.75 for the construction of his drive approach that could have been avoided. Therefore, claimant seeks reimbursement of $778.75.

Mr. Howard McCaffery, Director of the Public Service Department of the City of Lansing, informed this office that the claimant secured a permit from a permit clerk in his office to install a concrete sidewalk at 226 S. Butler Street and a concrete drive approach, although the plans do not show a drive approach at 230 S. Butler. The plan for the sewer to be constructed on S. Butler was approved by that Department in June of 1980. A notice of the public hearing on the proposed development plan for Capitol Commons was published in the Lansing State Journal on March 26, 1979, to cover the proposed work for the Capitol Commons Project Area. He also stated that if the sewer contractor tore out a concrete drive approach at 230 S. Butler, he would replace it in kind.

Michigan law immunizes a municipality from tort liability when the municipality is engaged in the discharge of a governmental function. MCLA 691.1407; MSA 3.996(107). In Parker v Highland Park, 404 Mich 183; 273 NW2d 413 (1978) the majority of the Michigan Supreme Court defined a "governmental function" as an activity of such a peculiar nature that the activity could be done only by the government. Sewer construction undertaken by a municipality manifesting proper planning and projecting as an integral function of the government in accommodating future growth was held to be a governmental function. Beauchamp v Saginaw Twp, 74 Mich App 44; 253 NW 335 (1977).

Because it appears that the sewer contractor who damaged claimant's drive ap-

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proach will repair and replace the same and because, in any event, the City of Lansing is governmentally immune from such activities, it is the recommendation of this office that this claim should be denied.

Respectfully submitted,

STEPHEN R. SAWYER,
City Attorney.

By COUNCILMAN GUNTHER—

That we concur in the recommendation of the City Attorney and said claim be denied.

Carried.

December 3, 1981

President Lucile Belen and
Members of Lansing City Council

Re: William C. Shaw v City of Lansing—Redemption of Liability in a Workers' Compensation Disability Matter in the amount of $1,500.00

Dear President Belen and
Members of City Council:

In February, 1979, Mr. William C. Shaw filed a workers' disability compensation petition against the City of Lansing alleging that he aggravated a preexisting bronchial asthmatic condition and also sustained a low back injury as a result of his employment with the City of Lansing. Mr. Shaw was employed with the City from November 15, 1977 through December 12, 1978.

In preparation for trial, the depositions of Dr. Richard Bates, M.D., with specialty in internal medicine, and Dr. Myung-Ho Hahn, M.D., were taken. Dr. Bates concluded Mr. Shaw's asthmatic condition was not work related, however acknowledged that heavy exertion would be likely to produce symptoms of the condition or in other words bring on an asthma attack. Dr. Hahn essentially concurred with Dr. Bates' opinion. No medical testimony was produced by Mr. Shaw regarding his back condition.

Shortly after the petition was first filed, plaintiff's attorney demanded the sum of $29,000 to redeem this case. After development of the file, plaintiff's attorney contacted this office and offered to redeem their case for $1,500. At the time of trial, had Mr. Shaw prevailed and received an open award from the Bureau, he would have been entitled to $27,113 in accrued weekly benefits as well as fifty-two weeks of vocational rehabilitation benefits and all reasonable necessary medical expenses.

Although Mr. Shaw's claim is tenuous and unsupported by medical evidence, there remains the possibility that he may prevail at the Bureau and after discussions with the Safety Director, it was the collective opinion of both offices that the matter be redeemed for $1,500. If the redemption is approved by the Bureau, the City will no longer be responsible to Mr. Shaw for any entitlements he may have under the Workers' Disability Compensation Act.

Based on the foregoing, it is the recommendation of this office that this redemption in the sum of $1,500 be approved.

Respectfully submitted,

STEPHEN R. SAWYER,
City Attorney.

By COUNCILMAN GUNTHER—

That we concur in the recommendation of the City Attorney and the redemption in the sum of $1,500.00 be approved.

Carried.

Civic Center Board submits Evaluation Report.

Received and placed on file.

November 25, 1981

Honorable Mayor Gerald W. Graves and
Members of the Lansing City Council

City Hall

Lansing, Michigan 48933

Gentlemen:

Subject: Evaluation Report Pursuant to Section 5-106(4) of the Lansing City Charter

Transmitted herewith you will find an evaluation report that was approved by the Housing and Redevelopment Advisory Board at its meeting held on November 24, 1981. This report is submitted to meet the requirement set forth at Section 5-106(4) of the Lansing City Charter. Copies of the report and this cover letter are being filed with the Mayor, the City Council, and the City Clerk.

Your comments on the content of this report would be of assistance to us in preparing future reports. We appreciate the opportunity to submit this report and look forward to providing future submissions.

Sincerely,

CITY OF LANSING,
MICHIGAN
Housing and Redevelopment
Advisory Board,
Pat Long, Chairperson.

Received and placed on file.

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DATE: 11/25/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Submission of attached correspondence from the Purchasing Director and Administrative Services Director. Re: Emergency Purchase Order E-08276 to the Trane Company for an air conditioning unit for the Fire Department computer room

The attached correspondence is submitted for your information.

GERALD W. GRAVES,
Mayor.

Received and placed on file.

December 2, 1981

Council President Lucile Belen and
Members of the Lansing City Council

10th Floor, City Hall

Lansing, Michigan 48933

Dear Council President and Members:

Over four years ago, the voters of the City of Lansing strongly approved the disposition of the Poxson building located at Michigan and Grand Avenues. Many, many times since then, I have been contacted by potential developers about acquisition of that property for productive use. Each time, I have contacted City Council and recommended that Council establish a procedure to accommodate the sale of this property. Yet, you have done nothing.

Recently, I have been contacted by a local real estate agent on behalf of a possible developer interested in the purchase of this property. While I support disposal of the building, it has been necessary for me to advise that agent of City Council's reluctance to proceed in any direction with this building.

Utility costs and minimal heat for the building exceed $6,000 annually. The City of Lansing endured legal expense for outside legal counsel on the lawsuit of Councilman Blair and former Councilman Hull against the City of Lansing regarding disposition of this property—a lawsuit which was dismissed due to lack of progress some years later. The City of Lansing absorbed the cost of a real estate appraisal which has long since been outdated. And, more importantly, the City of Lansing bears the responsibility for this property remaining unproductive, off the tax roll and another vacant eyesore on the face of downtown.

I realize that the property adjacent to this building is necessary for staging operations for construction for the 100 Block project. I sincerely believe that the sale of the property can be accomplished bearing this in mind. I urge City Council to take positive steps to bring this embarrassing matter to a useful conclusion, and I stand prepared during the remainder of my term and thereafter to assist in any way possible.

Sincerely,

GERALD W. GRAVES,
Mayor.

Referred to Committee on Public Property and Safety.

November 30, 1981

Council President Lucile Belen and
Members of the Lansing City Council

10th Floor, City Hall

Lansing, Michigan 48933

Dear Council President and Members:

This office has been recently advised by Joan Trezise, a member of the Human Resources Advisory Board, that she can no longer serve due to other commitments on her time. Therefore, I am submitting to you for your consideration and confirmation, the name of Alex Dratsch to fill said vacancy, which term expires in June of 1984.

Mr. Dratsch is currently the Branch Manager of the Lansing Office of Investors Diversified Services and resides in the City of Lansing at 3501 Colchester.

Trusting this recommendation meets with your approval, I remain

Sincerely,

GERALD W. GRAVES,
Mayor.

Referred to Committee on Human Services.

November 30, 1981

Council President Lucile Belen and
Members of the Lansing City Council

10th Floor, City Hall

Lansing, Michigan 48933

Dear Council President and Members:

This office was recently advised by Sam Yarbrough that he can no longer serve as a member of the Public Service Board due to extensive personal commitments. Therefore, I am submitting to you for your consideration and confirmation, the name of Cleo Cipicchio to fill said vacancy, which term expires in June of 1982.

Mr. Cipicchio currently serves as Vice President of Commercial Loans at the Bank of Lansing and resides in the City of Lansing at 1809 S. Holly Way.

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Trusting this recommendation meets with your approval, I remain

Sincerely,

GERALD W. GRAVES,
Mayor.

Referred to Committee on Physical Development.

DATE: 12/3/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Mayor's Economic Development Advisory Group, A. Tubbs, Chairman. Re: EDC request for approval of modified project plan for Bauch Building (Capitol Hall) project.

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Economic Development.

DATE: 12/3/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Mayor's Economic Development Advisory Group, A. Tubbs, Chairman. Re: EDC request for certification of project area — Southwind III, Eyde Brothers, EDC-16-81

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Economic Development.

DATE: 12/3/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Attached correspondence from the Lansing Planning Board and A. Tubbs, Secretary. Re: ACT-61-81—Willoughby Road.

The attached correspondence is forwarded for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Public Property and Safety.

DATE: 12/3/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Lansing Planning Board, A. Tubbs, Secretary. Re: Z-32-81, 6834 Cooper Road/704 Dadson Drive.

The attached correspondence is forwarded with my cocnurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Physical Development.

DATE: 12/3/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Lansing Planning Board, A. Tubbs, Secretary. Re: Z-33-81, 801 West Saginaw St.

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Physical Development.

DATE: 12/3/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Lansing Planning Board, A. Tubbs, Secretary. Re: Z-34-81, 513, 519, 523 and 527 West Willow and 1216 and 1224 North Pine Streets

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Physical Development.

DATE: 12/3/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Lansing Planning Board, A. Tubbs, Secretary. Re: Z-35-81, 625 West Sheridan Road

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The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Physical Development.

DATE: 12/3/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Lansing Planning Board, A. Tubbs, Secretary. Re: Community Development Block Grant statement of objectives and proposed project activities for FY 82-83

The attached correspondence is forwardde with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Physical Development.

DATE: 12/3/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Submission of attached correspondence from the Planning Board Members, Merle Barnhart, Chairman. Re: Evaluation Report from the Lansing Planning Board.

The attached correspondence is submitted for your information.

GERALD W. GRAVES,
Mayor.

Received and placed on file.

DATE: 12/3/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the City Controller, Stephen Duarte. Re: Administrative Actions.

The attached correspondence is forwarded with my concurrence for your action and referred for budget consideration.

GERALD W. GRAVES,
Mayor.

Received and placed on file.

DATE: 12/3/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Additional Unmet Needs Fiscal Year 1982-83

The attached correspondence is forwarded for your information and for budget consideration.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Ways and Means.

## RESOLUTIONS

By COMMITTEE ON PUBLIC PROPERTIES AND SAFETY—

Resolved by the City Council of the City of Lansing:

Whereas, pursuant to the submission of a petition from the residents of Lathrop Street requesting a parking prohibition on one side of the street between Walsh and Perkins the Transportation Division installed appropriate signs on the 21st of August 1981; and

Whereas, the temporary condition with no parking on the east side of the street has met with general approval in the neighborhood, now

Therefore, Be It Resolved the City Council of the City of Lansing hereby concurs with the recommendations of the Traffic Board and the Committee on Public Properties and Safety to make no parking on the east side of Lathrop Street between Walsh and Perkins a permanent condition.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PUBLIC PROPERTIES AND SAFETY—

Resolved by the City Council of the City of Lansing:

Whereas, the citizens of Jason Court have requested the removal of the one hour time limit on the north side of the east-west section of the Court; and

Whereas, the limit is no longer appropriate as the John Bean Plant is not in full operation; and

Whereas, the Transportation Division staff and the Traffic Board have recommended the elimination of the one hour time zone; now

Therefore Be It Resolved the City Council of the City of Lansing hereby authorizes

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the removal of the "one hour" time zone restriction on the north side of the east-west section of Jason Court.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PUBLIC PROPERTIES AND SAFETY—

Resolved by the City Council of the City of Lansing:

Whereas, the Traffic Board has concurred unanimously with the staff recommendation to remove the prohibition for southbound left turns at the intersection of S. Washington and Elm Streets, and

Whereas, This change will make the traffic code consistent with the current operation; now

Therefore Be It Resolved the City Council of the City of Lansing hereby removes the prohibition for southbound left turns at the intersection of Washington Avenue and Elm Street.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PUBLIC PROPERTIES AND SAFETY—

Resolved by the City Council of the City of Lansing:

Whereas, the citizens living in the area of the intersection of Elizabeth and Lathrop streets have requested the installation of stop signs; and

Whereas, the actual traffic volume at this intersection does not exceed normal levels for residential streets, the visability is poor and the safe approach speed is only 5 m.p.h.; and

Whereas, the Traffic Board has concurred with the staff recommendation to install stop signs at this intersection; now

Therefore Be It Resolved the City Council of the City of Lansing hereby authorizes the installation of stop signs on Lathrop at Elizabeth Streets.

Adopted by the following vote:

Unanimously.

By ECONOMIC DEVELOPMENT COMMITTEE—

Resolved by the City Council of the City of Lansing:

Whereas, it is necessary to hold a public hearing prior to the Council approval of a Commercial Redevelopment Exemption Certificate for the following petitioner:

Commercial Redevelopment District CRD-2-81

Petitioner: Great Lakes Real Estate Trust

3128 and 3222 South Logan Street

Therefore Be It Resolved that the City Clerk give at least 10 days notice of a public hearing when all persons interested may attend and make any objections they may have to the approval of the certificate and,

Further Resolved that the City Clerk notify the legislative body of each taxing unit which levies ad valorem property taxes in the City and

Further Resolved that such hearing shall be held at the Council Chambers in the City Hall on December 21, 1981, at 7:00 p.m. and that notice of such hearing be published in a publication of general circulation of said City.

Adopted by the following vote:

Unanimonusly.

By the ECONOMIC DEVELOPMENT COMMITTEE—

City of Lansing
County of Ingham, Michigan

RESOLUTION APPROVING BAUCH BUILDING — CAPITOL HALL PROJECT PLAN AS SUBMITTED BY THE ECONOMIC DEVELOPMENT CORPORATION OF THE CITY OF LANSING

Mniutes of a regular meeting of the City Council of the City of Lansing, County of Ingham, Michigan, (the "Council"), held in said City on December 7, 1981, at 7:00 o'clock p.m., Eastern Standard Time.

Present: Councilmen Belen, Brenke, Gunther, Lindemann, Worthington.

Absent: Councilmen Adado, Blair, McKane.

The following preamble and resolution were offered by Member Gunther and supported by Member Brenke:

Whereas, there exists in the City of Lansing, County of Ingham, Michigan (the "City") the need for certain programs to alleviate and prevent conditions of unemployment and to assist and retain local industrial and commercial enterprises in order to strengthen and revitalize the City's economy; and

Whereas, a program to alleviate the aforesaid conditions has been initiated by The Economic Development Corporation of the City of Lansing (the "Corporation"); and

Whereas, the Corporation in conformity with Act No. 338 Public Acts of Michigan,

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1974, as amended ("Act No. 338"), has prepared and submitted a project plan, providing all informaiton and requirements necessary for a project; and

Whereas, in conformity with Act No. 338 this Council has conducted a public hearing on said project plan; and

Now, Therefore, Be It Resolved:

1. The project plan, as submitted and approved by the Corporation, meets those requirements set forth in Section 8 of Act No. 338.

2. The persons who will be active in the management of the project for not less than one year after approval of the project plan have sufficient ability and experience to manage the project properly.

3. The proposed methods of financing the project as outlined in the project plan are feasible and the Corporation has the ability to arrange or cause to be arranged, the financing.

4. The project as submitted is reasonable and necessary to carry out the purposes of Act No. 338.

5. Based upon the information submitted and information obtained at public hearings, the project plan as submitted and the project to which it relates, serves to alleviate and prevent conditions of unemployment, strengthen and revitalize the City's economy, encourage the location and expansion of enterprises in the City, and, therefore, constitutes an essential, vital and necessary public purpose.

6. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same hereby are rescinded.

Ayes: Councilmen Belen, Brenke, Gunther, Lindemann, Worthington.

Nays: None.

Resolution declared adopted.

THEO FULTON,
City Clerk.

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City Council of the City of Lansing, County of Ingham, Michigan, at a regular meeting held on December 7, 1981, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, and that the minutes of said meeting were kept and will be or have been made available as required by said Act.

THEO FULTON,
City Clerk.

Adopted by the following vote:

Unanimously.

By ECONOMIC DEVELOPMENT COMMITTEE—

RESOLUTION APPROVING AMENDED PROJECT AREA, ESTABLISHING PROJECT DISTRICT AREA AND RECONFIRMING APPOINTMENT OF ADDITIONAL DIRECTORS TO THE BOARD OF DIRECTORS OF THE ISSUER

(Hollister Building Project)

Minutes of a regular meeting of the City Council of the City of Lansing, Michigan, held at 7:00 o'clock, p.m., Michigan Time, on December 7, 1981, at which the following members were present:

Councilmen Belen, Brenke, Gunther, Lindeman, Worthington;

and the following were absent:

Councilmen Adado, Blair, McKane.

The following preamble and resolution were offered by Councilman Gunther and supported by Councilman Brenke:

Whereas, the Economic Development Corporations Act, Act No. 338 of the Michigan Public Acts of 1974, as amended (the "Act"), recognizes that there exists in the State of Michigan the need for programs to alleviate and prevent conditions of unemployment, to assist and retain local industries and commercial enterprises, to encourage and assist the location and expansion of such enterprises, to provide needed services and facilities to the City of Lansing and its residents, to promote the forestry and agricultural sectors of the State's economy, and to encourage the development of facilities designed to produce energy from renewable sources; and

Whereas, the Act provides a means by which these needs may be addressed; and

Whereas, Hollister Building Corporation, a Michigan corporation (the "Company"), as the general partner in a Michigan limited partnership to be formed, has proposed a multi-use facility consisting of the acquisition and renovation of the Hollister Building and certain adjoining land in Lansing, Michigan, and the renovation and construction of a commercial office and retail building and 400 car parking ramp (the "Facility") to The Economic Development Corporation of the City of Lansing (the "Issuer") which would assist in the alleviation of the aforementioned conditions; and

Whereas, the Company and the Issuer anticipate that the Facility will consist of one or more "Projects" as defined in the Act and the "Projects" which comprise the Facility will each be owned by a separate entity and will be financed by one or more separate series of bonds or notes issued by the Issuer; and

Whereas, on February 25, 1980 this City Council previously approved a Project Area and designated a Project District Area for this Facility and the projects therein; and

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Whereas, the Issuer, in conformity with the Act, has designated an amended Project Area and Project District Area for the Facility to this City Council for its approval thereof.

Now, Therefore, Be It Resolved by this City Council of the City of Lansing, as follows:

1. The following amended Project Area for the Facility and the projects therein, as designated by the Issuer, is hereby certified as approved:

See Exhibit "A"

2. The territory surrounding said designated Project Area will not be significantly affected by the Facility and the projects therein and, therefore, a Project District Area having the same description as the Project Area herein certified as approved is hereby established.

3. Pursuant to Section 20(e) of the Act, a Project Citizens District Council is not required for the Facility and the projects therein and, therefore, such a Council shall not be formed.

4. This Council hereby confirms and consents to its prior approval and confirmation of George Hess and Howard Spence as additional directors to the Board of Directors of the Issuer, pursuant to Section 4(2) of the Act, said persons being representative of neighborhood residents and business interests likely to be affected by the Facility.

5. The City Clerk is hereby directed to provide three (3) certified copies of this resolution to the Secretary of the Issuer.

Yeas: Councilmen Belen, Brenke, Gunther, Lindemann, Worthington.

Nays: None.

Abstentions: Councilmen Adado, Blair, McKane.

Resolution declared adopted.

STATE OF MICHIGAN )
) ss.
COUNTY OF INGHAM )

I hereby certify that the foregoing is a true and complete copy of a resolution adopted at a regular meeting of the City Council of the City of Lansing, County of Ingham, Michigan, held on the 7th day of December, 1981, and that the said minutes are on file in the office of the City Clerk and are available to the public. Public notice of said meeting was given pursuant to and in compliance with Act No. 267, Public Acts of Michigan, 1976.

THEO FULTON,
City Clerk.

EXHIBIT A

LEGAL DESCRIPTION

Lots 8, 9 and 10; the South 66 feet of Lot 1; the South 66 feet and the West 10 feet of Lot 2; Lots 3, 4 and 5 all in Block 110, Original Plat, City of Lansing, Ingham County, Michigan, according to the recorded plat thereof.

Adopted by the following vote:

Unanimously.

By PHYSICAL DEVELOPMENT COMMITTEE—

Resolved by the City Council of the City of Lansing:

Therefore Be It Resolved, the City Council of the City of Lansing hereby approves and confirms the appointment of Mr. Alfredo Perrelli to serve as First Ward Representative on the Board of Zoning Appeals for a term to expire in June of 1985.

Adopted by the following vote:

Unanimously.

By PHYSICAL DEVELOPMENT COMMITTEE—

Resolved by the City Council of the City of Lansing:

Therefore Be It Resolved, the City Council of the City of Lansing hereby approves and confirms the appointments of Mr. Joseph Popevich to the Public Service Board for a term to expire in June of 1985 as recommended by the Mayor.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PHYSICAL DEVELOPMENT—

Resolved by the City Council of the City of Lansing:

Whereas, the Plat of Sunset Hills No. 10 extends westerly 75 feet along Ridgefiled Road adjacent to property not included in the Plat, and

Whereas, the property owners of the subject adjacent property, 1940 Byrnes Road and 2002 Byrnes Road, have requested that the sidewalk on both sides of Ridgefiled Road adjacent to their properties not be constructed, and

Whereas, the Public Service Director and the Mayor have recommended that the requirement for sidewalks on Ridgfield Road

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west of Lots 315 and 316 be waived, saying the construction of these walks at this time would serve no purpose;

Now, Therefore, Be It Resolved that the Lansing City Council hereby waives the requirement for construction of sidewalks on the north and south sides of Ridgefield Road west of Lots 315 and 316 of Sunset Hills No. 10; and

Be It Further Resolved that the City Council retains the authority to order these public improvements constructed, and the costs assessed to the property owners if a determination of necessity is made in the future.

Adopted by the following vote:

Unanimously.

**PUBLIC IMPROVEMENT V**

By PHYSICAL DEVELOPMENT COMMITTEE—

Resolved by the City Council of the City of Lansing:

That the supplementary special assessment roll for 1980 Curb and Gutter Construction:

Assessment Roll No. 280

Locations —

Rolfe Rd. from Miller Rd. to N. end of street

Vine St. from Magnolia to Fairview

Bristol Rd. from Reo Rd. to S. end of street

as returned by the City Assessor be and the same is hereby ratified and confirmed, and that the Mayor be and hereby is directed to affix within ten days, his warrant directing the City Treasurer to refund to all persons who have paid said tax as originally assessed the pro rata amount of difference as shown in said supplementary roll, and collect all unpaid tax as shown on said roll on or before March 7, 1982.

Adopted by the following vote:

Unanimously.

By COUNCILMAN GUNTHER—

Resolved by the City Council of the City of Lansing:

That Councilmen Adado, Blair and McKane be excused from the session.

Carried.

**REMARKS BY THE MAYOR'S EXECUTIVE ASSISTANT**

No remarks.

**REMARKS BY THE CITY COUNCIL**

No remarks.

By COUNCILMAN BELEN—

That this meeting stand adjourned.

Carried.

Council adjourned at 9:50 P.M.

THEO FULTON,
City Clerk.

Lansing, Michigan

December 7, 1981

F/B

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CITY CLERK'S OFFICE
Room 921, City Hall
Lansing, Michigan 48933

Address Correction Requested

BULK RATE
U. S. POSTAGE
PAID
Permit No. 1461
Lansing, Michigan



# OFFICIAL PROCEEDINGS OF
# THE CITY COUNCIL
## OF THE CITY OF LANSING

## Proceedings, December 14, 1981

CITY COUNCIL ROOMS

Lansing, Michigan

December 14, 1981

The City Council of the City of Lansing, Michigan, met in regular session and was called to order by President Belen.

Present: Councilmen Belen, Blair, Brenke, Gunther, Lindemann, McKane, Worthington—7.

Absent: Councilman Adado—1.

The Clerk announced that a quorum of the Council was present.

Invocation was given by Councilman Gunther.

Pledge of Allegiance was led by Councilman Gunther.

By COUNCILMAN WORTHINGTON—

That the Council Proceedings of Nov. 9, 16, 23, and 30, 1981, be approved.

Carried.

PUBLIC HEARING

December 14, 1981, at 7:00 o'clock being the time set as the time for holding a public hearing on the proposal changing the name of Mill Street from Michigan Avenue south to be known as Museum Drive.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed changing of the street name they had the privilege of speaking at this time.

Referred to Committee of the Whole.

PUBLIC HEARING

December 14, 1981, at 7:00 o'clock being the time set as the time for holding a public hearing on the proposal changing the name of East High Street from North High Street to Lake Lansing Road.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed street name changing they had the privilege of speaking at this time.

Larry Parker, 1416 New York, spoke.

Referred to Committee of the Whole.

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## HEARING ON PROPOSED SPECIAL USE PERMIT

December 14, 1981, at 7:00 o'clock being the time set as the time for holding a hearing on the proposed special use permit as provided for in the Zoning Code which was passed by the City Council on November 13, 1958, said proposed permit being as follows:

That the property described as:

SUP-8-81 — 831 N. Sycamore St.

Operation of an overnight shelter for those who are homeless and in need of a place to sleep.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed special use permit provided for in the Zoning Code he had the privilege of speaking at this time.

Objections were made to the proposed special use permit.

The following persons spoke:

Ken Burger, owner of property.

Wanda Hensley, 811 N. Sycamore St., in opposition.

Floyd Peasley, 909½ N. Sycamore St., in opposition.

Barbara Curtis, 1403 W. Lenawee St., member of the staff of Loaves & Fishes.

Ken Hensley, 811 N. Sycamore St.

Caroline Horvath, 540 W. Willow St., spoke in favor.

Marie Krebs, 835 N. Sycamore St.

Max Wilkins, 1524 Vine St.

Father Richard Preston of Cristo Rey Church.

Randy Watkins, 1403 W. Lenawee St.

Dallas Peasley, 905 N. Sycamore St.

Resident of 100½ S. Holmes St.

Tim Hannon, 535½ S. Sycamore St.

Referred to Committee on Physical Development.

## PUBLIC HEARING

December 14, 1981, at 7:00 o'clock being the time set as the time for holding a public hearing on the proposed special use permit — SUP-17-78 — S.W. corner of Coleman Road and Wood Street (to allow operation of a sanitary landfill on this property).

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed special use permit they had the privi-ege of speaking at this time.

Mr. J. R. Robinson, attorney for Charter Twp. of DeWitt, spoke.

Shirley Munk spoke.

Referred to Committee on Physical Development.

**THE PUBLIC MAY NOW ADDRESS THE CITY COUNCIL ON ANY OF THE FOLLOWING ITEMS LISTED ON THE AGENDA: COMMUNICATIONS AND PETITIONS, COMMITTEE REPORTS, REPORTS OF CITY OFFICERS AND BOARDS, AND RESOLUTIONS. YOU MAY SPEAK ONLY FOR 3 MINUTES ON ANY ONE ITEM.**

Committee Report No. 5 removed.

Resolution 3b removed.

Resolution 5b removed.

Resolution 7b removed — same as 7a.

Marjorie C. Graham, 645 Northcrest, spoke re: School crossing guards.

Charles Emery, No. 7 Communications and Petitions, re: handicapped spaces.

Cal Anderson, Principal, Attwood School, spoke re: School crossing guards.

## COMMUNICATIONS AND PETITIONS

The following applications and bonds have been filed for licenses:

AUCTIONEER —
Gregory A. McCreery, Jr.

PEDDLER —
Mark Wright, James Curtis, Coat Factory.

PUBLIC DRIVERS —
Kevin John Trevas, Eric Melvin Simcox.

Referred to Committee on General Services.

Summons filed in Circuit Court by:

Iris L. Tejkl vs City of Lansing in regard to injuries sustained due to falling over a open manhole.

Joseph and Linda Pauline Golden vs City of Lansing and Lansing Police Department in regard to reassignment of work within the Police Department.

Referred to Mayor, City Attorney.

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Claim filed by Dalton Morse in regard to reimbursement of billing due to sewer backup.

Referred to Mayor, City Attorney.

Letter from Anthony T. Randall, Attorney, representing Shan Thomas in regard to property at 512 W. Genesee St. that has been condemned by the City.

Referred to Mayor, Committee on General Services.

Petition filed requesting the appropriating of sufficient funds to maintain the School Crossing Guard Program.

Referred to Mayor, Committee on Public Property and Safety.

Application for Commercial Facilities Exemption Certificate for Frandsorson Properties, Frandor Shopping Center.

Referred to Mayor, Economic Development Corporation and Committee on Economic Development.

Ramp Consulting Services, Inc., submits a report on the Municipal Parking System for the City of Lansing.

Received and placed on file with copy to the Parking Committee.

**MAYOR'S EXECUTIVE ASSISTANT COMMENTS ON ANY ITEM ON THE AGENDA:**

Mr. Black commented on Fire Chief's withdrawal of resignation.

Agenda Item 1

**REPORTS OF COMMITTEES**

The COMMITTEE ON GENERAL SERVICES approves the following applications and bonds for licensse:

AUCTIONEER —
George A. McCreery, Jr.

PEDDLER —
Mark Wright, James Curtis, Coat Factory.

PUBLIC DRIVERS —
Kevin John Trevas, Eric Melvin Simcox.

Signed:

WILLIAM A. BRENKE,
PAT LINDEMANN,
TERRY J. McKANE,
Committee on General Services.

By COUNCILMAN BRENKE—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

The COMMITTEE ON WAYS & MEANS, to whom was referred the request of the Administration to concur in the establishment of two Police Technician positions in the 9-1-1 Center, reports as follows:

That the creation of the two Police Technician positions be concurred with in conjunction with the reorganization of that operation, since five clerical positions will simultaneously be deleted for an annual savings of over $30,000. This is recommended at this time due to the need to have adequate staffing of the 9-1-1 lines within reduced costs.

The committee further recommends that no position be established in this operation in the future without full review of this and other reorganization and staff increases since the program's inception.

Signed:

JACK D. GUNTHER,
WILLIAM A. BRENKE,
TERRY J. McKANE,
Committee on Ways and Means.

By COUNCILMAN McKANE—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

The COMMITTEE ON WAYS & MEANS, to whom was referred the request for additional funds for the Outside Legal Services account in the Personnel Department, reports as follows:

The Committee recommends approval of the $15,000 transfer, which should keep the account from being overrun through January 31, 1982. By this date, the Committee on Ways and Means requests a report from the Mayor detailing additional control mechanisms designed to reduce future expenditures from this account. The committee suggests a temporary system of monthly reports submitted by the Personnel Director to the Mayor and the Committee on Ways and Means, justifying each decision to use outside legal services. The intent of such reports would be to explain why City resources cannot be used to settle personnel-related issues.

Signed:

TERRY J. McKANE,
JACK D. GUNTHER,
WILLIAM A. BRENKE,
Committee on Ways and Means.

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By COUNCILMAN McKANE—

That the report of the Committee be adopted.

Adopted by the following vote:

Yeas: Councilmen Belen, Brenke, Gunther, Lindemann, McKane, Worthington—6.

Nay: Councilman Blair—1.

The COMMITTEE ON PUBLIC PROPERTIES AND SAFETY, to whom was referred the report on locations of school crossing guards, reports as follows:

All crossing guard locations have been evaluated using a comprehensive system by the Study Committee. The committee should be kept intact to perform annual reviews of all locations and to evaluate requests for new guard locations. It is recommended that the evaluation system used be adopted as formal criteria for future reviews.

Based on facts and opinions expressed to the Committee on Public Properties and Safety, this committee recommends that all 49 school crossing guards be funded through the remainder of fiscal year 1981-82. Removing any adult crossing guards in the middle of the school year, especially in midwinter, poses too great a risk to the school children. This recommendation for current-year funding is hereby referred to the Committee on Ways and Means for an appropriation.

The City Attorney has been requested to prepare an opinion on options available to parent-teacher groups or neighborhoods that wish to raise funds for crossing guards or use volunteers in locations that may be deleted by the City in the future.

Signed:

PAT LINDEMANN,
SIDNEY P. WORTHINGTON,
Committee on Public
Properties and Safety.

By COUNCILMAN LINDEMANN—

That the Committee Report be amended as follows:

That the second paragraph of this Committee Report be deleted.

Carried.

By COUNCILMAN LINDEMANN—

That the report of the Committee be adopted.

The Committee Report as amended was adopted by the following vote:

Unanimously.

The COMMITTEE ON AD HOC PARKING STUDY, to whom was referred the matter of painting new stripes to designate parking bays in City owned ramps, reports as follows:

The Committee concurs with the recommendation of the Traffic division of the Department of Public Service to restripe the bays in the ramps in a more functional manner to create an additional 189 spaces in the downtown system.

Signed:

PAT LINDEMANN,
SIDNEY P. WORTHINGTON,
JAMES D. BLAIR,
Committee on Ad Hoc Parking
Study.

By COUNCILMAN LINDEMANN—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

The COMMITTEE OF THE WHOLE, to whom was referred the matter of vacating a portion of the 100 block parking lot, reports as follows:

In an effort to facilitate the frost free excavation for the new 100 block office building, the parking division is authorized to block off the west 140 feet of the 100 block parking lot leaving enough space for 150 vehicles. This area will be closed effective January 1st, 1982, unless prolonged sub-freezing temperatures require closure between December 26 and January 1st.

Signed:

LUCILE BELEN,
SIDNEY P. WORTHINGTON,
WILLIAM A. BRENKE,
JACK D. GUNTHER,
PAT LINDEMANN,
TERRY J. McKANE,
Committee of the Whole.

By COUNCILMAN BELEN, Chairman—

That the report of the Committee be adopted.

By COUNCILMAN McKANE—

That in the last line the date of January 1, 1982 be changed to read January 4, 1982.

Carried.

By COUNCILMAN BLAIR—

That the Committee Report be further amended as follows:

After the words "parking lot" the following be added "until March 15, 1982."

Carried.

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The Committee Report as amended was adopted by the following vote:

Unanimously.

## REPORTS OF CITY OFFICERS AND BOARDS

December 9, 1981

President Lucile Belen and
Members of Lansing City Council

Re: Claim of Wendall Trowbridge in the amount of $400.00

Dear President Belen and
Members of City Council:

On July 11, 1981, Wendall Trowbridge filed a claim in the amount of $400.00 for property he alleges was mistakingly sold at public auction by the Lansing Police Department. In his claim letter Mr. Trowbridge states that his portable Electrophonic stereo set, costing about $1,000.00 new, was taken during a break-in on October 8, 1980.

An investigation by this office of the events giving rise to this claim contradicts Mr. Trowbridge's allegations. While it is true that a break-in was recorded by LPD at the Dairy Freeze, 4526 S. Logan on October 8, 1980, at no time did Mr. Trowbridge list as stolen an Electrophonic portable stereo turntable, AM/FM cassette player. Rather, when he appeared on April 23, 1981 at the Lansing Police Department to pick up recovered goods, Mr. Trowbridge inquired after a Morse unit, which neighbors had mentioned to him as having been found in the vicinity. Upon pursuing this inquiry, the Quartermaster's Department determined that a Capehart system had been found near 4516 S. Logan on October 9, 1980. Having had no reason to connect the Capehart unit to the break-in, it was listed as "found property" with LPD and sugsequently auctioned as unclaimed, December 2, 1980.

To date, Mr. Trowbridge remains inconsistent in identifying the type and cost of the unit which he claims was his. In conversation with this office on September 9, 1981, he again indicated that the unit was a Morse unit, and stated that he had purchased it "second hand" from a friend several years prior to the break-in for about $180.00 to $200.00. (Research with local dealers revealed that none of the three firms—Electrophonic, Morse or Capehart—makes a portable system costing more than $300.00 - $400.00 new; only full-sized console systems bear a $1,000.00 price tag.)

In the opinion of this office, Mr. Trowbridge has failed to demonstrate sufficient evidence to support his claim. We, therefore, recommend that this claim be denied.

Respectfully submitted,

STEPHEN R. SAWYER,
City Attorney.

By COUNCILMAN GUNTHER—

That we concur in the recommendation of the City Attorney and said claim be denied.

Carried.

December 8, 1981

President Lucile Belen and
Members of Lansing City Council

Re: Claim of Vicki L. Graham

Dear President Belen and

Members of City Council:

On January 19, 1981, claimant alleged that she required X-rays as the result of her fall on a sidewalk in Riverfront Park. She has subsequently filed a claim.

While governmental immunity would normally protect the City from liability for such injuries, MCLA 691.1402; MSA 3.996-(102) provides:

> "Each governmental agency having jurisdiction over any highway shall maintain the highway in reasonable repair so that it is reasonably safe and convenient for public travel. Any persons sustaining bodily injury or damage to his property by reason or failure of any governmental agency to keep any highway under its jurisdiction in reasonable repair, and in condition reasonably safe and fit for travel, may recover the damages suffered by him from such governmental agency."

The issue in this claim is whether the City had a duty to remove the ice from the sidewalk in question. There is no Michigan statute that requires a municipality to do so. In the absence of such a statute, a municipality is not required to remove ice or snow from its treets and sidewalks which result from natural causes, and it is not liable for injuries resulting from its failure to remove the ice or snow. Hampton v Master Products, Inc., 84 Mich App 767 (1978); 270 NW2d 514. The City of Lansing Public Service Department reports that Riverfront Park sidewalks are on a maintenance schedule for snow removel. However, it is not as high a priority on the snow removal schedule as would be community and senior citizen centers, elementary schools, cemeteries, etc.

Therefore, it is the opinion of this office that the above mentioned claim be denied on the basis of governmental immunity and the lack of duty of the City of Lansing to clear natural accumulations of ice and snow.

Rspecfully submitted,

STEPHEN R. SAWYER,
City Attorney.

By COUNCILMAN GUNTHER—

That we concur in the recommendation of the City Attorney and said claim be denied.

Carried.

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December 8, 1981

To the Honorable President Lucile Belen
and Members of the Lansing City Council

Re: Claim of CNA Insurance on behalf of the Estate of Nancy Wood Holmes

Dear President Belen and
Members of City Council:

CNA Insurance is the propety carrier for the Estate of Nancy Wood Holmes and alleges that vandalism was discovered on July 21, 1980 at Mt. Hope Cemetery and resulted in damage to an urn owned by the estate of Mrs. Nancy Wood Holmes.

Michigan law, MCLA 691.1407; MSA 3.996(107) provides for immunity from tort liability in cases where the governmental agency is engaged in the exercise of a governmental function; however, no immunity is provided for the exercise of a proprietary function. Here, it may be arguable that the operation of a cemetery is indeed a proprietary function.

The Parks and Recreation Department reports that long-established cemetery rules provide for perpetual care consisting of mowing, reseeding, leveling of sunken graves, and periodic inspection for irregularities, however, the Parks Department indicates that according to their printed rules, perpetual care "does not include the repair, maintenance or replacement of any monument, marker or urn damaged due to vandalism." This rule would appear to preclude any basis for contractual liability in this claim, and as there is neither any indication from the facts, nor any claim that the damage was the result of negligence on the part of the City, there appears to be no basis for liability on behalf of the City. Additionally, CNA Insurance Company closed their file on the matter on March 25, 1981.

It is therefore the recommendation of this office that the claim be denied.

Respectfully submitted,

STEPHEN R. SAWYER,
City Attorney.

By COUNCILMAN GUNTHER—

That we concur in the recommendation of the City Attorney and said claim be denied.

Carried.

December 8, 1981

President Lucile Belen and
Members of Lansing City Council

Re: Claim of John McKissie, Sr., in the amount of $138.00

Dear President Belen and
Members of City Council:

The above captioned claim was referred to this office for investigation and recommendation. On September 26, 1981, the claimant's son was transported to St. Lawrence Hospital Emergency Room by Lansing Mercy Ambulance Service, Inc. Investigation revealed that the Lansing Fire Department did request emergency ambulance service for the claimant's son as a result of all Lansing emergency vehicles being out and unavailable at the time of the call. The claimant thereafter received a bill for $138.00 for the private ambulance services rendered.

The Lansing City Charter, Article IV, Chapter III, Section 4-303.5 provides:

> "The department shall maintain and operate such ambulance, inhalator, and other lifesaving and emergency services as the welfare of the inhabitants of the city may require and as the Council may direct."

Based upon the above provision, the City of Lansing provides free ambulance service to its residents. Therefore, the City is responsible for the cost of private ambulance service provided to a resident of the City in an emergency situation and therefore it is the recommendation of this office that this claim be allowed in the amount of $138.00.

Respectfully submitted,

STEPHEN R. SAWYER,
City Attorney.

By COUNCILMAN BLAIR—

That we concur in the recommendation of the City Attorney and the City Clerk be and she is hereby directed to draw a warrant on the City Treasurer in the amount of $138.00 payable to John McKissie, Sr.

Carried.

The letter from the City Attorney in regard to the claim of May Ellen Marsh be referred back to the City Attorney for further information.

December 10, 1981

To the Honorable President Lucile Belen
and Members of the Lansing City Council

Re: Claim of Ralph W. Sims in the amount of $137.92

Dear President Belen and
Council Members:

On October 22, 1981, Ralph W. Sims filed a claim aganist the City of Lansing alleging that during the last week of August, 1981, his fence which stands between the rear of his property and Attwood Park was damaged by a City mower. Mr. Sims has filed along with his claim a damage estimate of $137.92.

An inspeciton by the Parks Department revealed that Attwood Park was mowed by

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a City crew on August 20, 1981. In addition, the Park Supervisor reports that the flecks of paint on the damaged portion of Mr. Sim's fence match the paint on the City's mower units. No verification of the incident by the City mowing crew was possible according to the Parks Department because the City mowing crew was composed of seasonal help and had been terminated as part of the seasonal reduction.

MCLA 491.1407; MSA 3.996(107) dictates that a municipality is immune from tort liability when performing activities which constitute a governmental function. In Thomas v Department of State Highways, 398 Mich 1; 247 NW2d 530 (1976) the Michigan Supreme Court recognized that the concept of governmental function was dependent for its reasoning upon judicial interpretation. In Parker v City of Highland Park, 404 Mich 183; 273 NW2d 413 (1978) a majority of the Michigan Supreme Court determined that the term "governmental function" is limited to those activities which are of the "essence of governing." As a practical rule, the line of distinction between tort immunity and tort non-immunity depends on whether the governmental activity involves the decisional and planning aspects of governmental duties which are statutorily protected or the governmental activity involves the day-to-day operational aspects of governmental duties which is outside the statutory protection.

In the present situation, although the developmental and planning aspects of City parks are certainly immune from tort liability, the day-to-day operation of the parks including its mowing would fall outside the statutory protection.

It is the recommendation of this office that based upon the law and facts as presented, that Mr. Sim's claim of $137.92 for damage to his fence by a City mowing unit be granted.

Respectfully submitted,

STEPHEN R. SAWYER,
City Attorney.

By COUNCILMAN GUNTHER—

That we concur in the recommendation of the City Attorney and the City Clerk be and she is hereby directed to draw a warrant on the City Treasurer in the amount of $137.92 payable to Ralph W. Sims.

Carried.

December 11, 1981

President Lucile Belen
and Members of City Council

Re: Guyselman v City of Lansing, David Street Extension, File No. 81-26510-CC

Dear President Belen and
Members of City Council:

During 1980 the City of Lansing decided to extend David Street so that it would connect with East High Street on the east and with North Larch Street on the west in order to re-route the Motor Wheel truck traffic around the residential area of High Street. Additionally, the City obtained a federal grant of $600,000 for the devlopment and construction of the extension of David Street. After studies by the Public Service Department and Planning Department, the most appropriate route to construct the street extension was determined. All the properties necessary to construct the David Street Extension were voluntarily sold to the City of Lansing except for a 66 by 269 foot parcel located south of a parcel of property located at 2002 North Larch Street. Essentially, that parcel consisted of a portion of the parking lot of a combination shopping mall and office building located at 2002 North Larch Street.

Legal action under the Michigan Uniform Condemnation Procedures Act, MCLA 213.1 et seq. was commenced by this office against the owners of the property on February 6, 1981, pursuant to City Council resolution. Prior to the commencement of the action an appraisal of the 66 by 269 foot parcel had been made by Mr. Terrell Oetzel, an experienced appraiser. Mr. Oetzel estimated the diminishment of value to the combination office and retail shopping center as a result of the City's taking of a portion of their parking lot to be $45,000. Subsequently, the owner of the property retained Mr. Malcolm Milks, also an experienced appraiser, who estimated the amount of damage to the combination office and retail shopping center as a result of the City's taking a portion of their parking lot to be $104,000.

After reviewing Mr. Milks' appraisal, obtaining further information and updating his March 10, 1980 appraisal in order to reflect the actual date of taking, February 6, 1981, Mr. Oetzel estimated a new value of $65,000. The Michigan Uniform Condemnation Procedures Act, specifically MCLA 213.66, provides that the governmental unit is responsible for the payment of the property owner's expert witness fees and regular witness fees, regardless of whether the matter is settled prior to the trial date. This office has been informed by the property owners that the expenses incurred by the property owners to date for trial preparation, including witness fees, approximates $5,000 without going through the trial.

Based upon the new information submitted to this office by Mr. Oetzel, the expenses incurred by the property owners for preparation for trial and the uncertainty of outcome if a jury trial did occur, this office entered into negotiations with the property owners and reached a tentative agreement to settle the matter for a total amount of $75,000. Examination of the financial records of the David Street Extension project by the Finance Department reveals that sufficient Federal Grant funds remain to compensate for the additional $30,000 in land acquisition costs which will be incurred as a result of this settlement.

Based upon the uncertainty of outcome and the information submitted to this office

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in the form of appraisals and possible testimony, this office recommends that the above referenced settlement for $75,000 be approved.

Respectfully submitted,

STEPHEN R. SAWYER,
City Attorney.

By COUNCILMAN GUNTHER—

That we concur in the recommendation of the City Attorney and that the settlement for $75,000.00 be approved.

Carried.

DATE: December 10, 1981

TO: Council President Lucile Belen,
Mayor Gerald Graves and
City Clerk Theo Fulton

FROM: Edward J. Piloske,
Principal Internal Auditor

SUBJECT: CETA Monitoring Audit for the FY 1980-81 Housing Assistance Foundation, CETA Title II Subgrant

In accordance with Section 3-402.3 of the City Charter, the Office of Internal Audit submits the following Monitoring Audit Report of the Housing Assistance Foundation, FY 1980-81, CETA Title II Subgrant, contract period being October 1, 1980 thru June 30, 1981.

A response from the agency and the City Controller's Office is requested pertaining to Schedule D and the Findings and Recommendations section of this report.

Received and placed on file.

DATE: 12/7/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the City Controller. Re: Request for release of financial security—Otto Park Subdivision

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

By COUNCILMAN McKANE—

That we concur in the recommendation of the Mayor and the release of the financial security for Otto Park Subdivision be approved.

Carried.

DATE: 12/7/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the City Controller. Re: Request for release of financial security — Provincial House No. 4 Subdivision

The attached correspondence is forwarded with my cocnurrence for your action.

GERALD W. GRAVES,
Mayor.

By COUNCILMAN McKANE—

That we concur in the recommendation of the Mayor and the release of the financial security for Provincial House No. 4 Subd. be approved.

Carried.

DATE: 12/7/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Submission of attached correspondence from the City Controller. Re: CETA Monitoring Audit of Greater Lansing Urban League

The attached correspondence is submitted for your information.

GERALD W. GRAVES,
Mayor.

Received and placed on file.

DATE: 12/8/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Public Service Director. Re: Final cost on construction contract for Miller Road Widening (Marywood to Logan Street) Account No. 801-936-000-974.262

The attached correspondence is forwarded with my cocnurrence for your action. A Public Improvement V is required.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Physical Development.

DATE: 12/9/81

TO: Council President and Members of
Lansing City Council

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FROM: Gerald W. Graves, Mayor

SUBJECT: Communication from Dick Radatz, President, Central Michigan Old-Timers' Baseball Association, requesting waiver of rental charge for use of the Lansing Civic Center on Monday, January 25, 1982

The attached communication is forwarded to you with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Public Property and Safety.

December 8, 1981

Council President Lucile Belen and
Members of the Lansing City Council

10th Floor, City Hall

Lansing, Michigan 48933

Dear Council President and Members:

My State of the City Message of January 26, 1981, contained a number of recommendations for your action. One of these, which has been ignored by you, reads as follows:

"EARLY RELEASE CENTERS — It has been brought to my attention that the downtown Young Men's Christian Association (YMCA) building now devotes three full floors for housing early release parolees with minimal supervision. I believe this presents a clear and present danger to our citizens downtown to have at present 65 or more of these individuals housed in this building, some of whom are three and four-time convicted felons. Further, I understand that the Michigan Department of Corrections is contemplating use of one additional floor of the YMCA for as many as 35 more early release parolees. I recognize the severe shortage now faced by the State of Michigan for adequate prison space, but I believe the State is purely irresponsible for turning this fine old building into a minimal security prison, slowly and without an opportunity for public comment, or City of Lansing input. I urge City Council to take immediate action to request the Department of Corrections and the State Legislature to remove these persons from the YMCA building and provide more reasonable facilities before serious crime shocks us all. The public has basically been unaware of this situation. The public has a right to comment on this very threatenting matter, and City Council is in a position to encourage that comment."

Because of the severity of the crime problem stemming from the parolees housed at the YMCA, and nearby addresses, I am once again calling for your action on the original recommendation.

A search of the records clearly shows that the so-called "rehabilitation program" for early parolees does, in fact, greatly contribute to crime in Lansing, and the surrounding area. For example:

—For the Year 1980, 27 persons to be "rehabilitated" were arrested for parole violation, escape, disorderly conduct, admitting for prostitution, larceny, bounced checks, non-support, car theft, etc.

—For the Year 1981, 57 persons to be "rehabilitated" were arrested for escape, reckless driving, larceny from a building resisting arrest/assault of a police officer, unarmed robbery, disorderly, trespassing, assault and battery, unlawfully driving away an automobile, breaking and entering, criminal sexual conduct, soliciting, receiving and concealing stolen goods, parole violation, etc.

The aforementioned does not niclude the 31 persons who have escaped. It does not reflect many items of stolen property that have changed hands inside and near the YMCA.

It is interesting to note that a stolen vehicle was located in the City of Detroit, the driver of which was driving under the influence. Another stolen vehicle and driver were located in the State of Florida.

Two things are evident. One, the State of Michigan is pushing troubles and costs on the backs of local communities, such as our own, and; two, the selection process, by the State of Michigan, of those released early for "rehabilitation" has major flaws, to the detriment of all of us, as well as those criminals who could be rehabilitated. In short, the record speaks for itself.

I plead with you to get involved.

Furthermore, I have in the past opposed funding of the New Way In, the main contractor at the YMCA for rehabilitating early parolees. You told me I was wrong, so funding continued for the New Way In. For the Years 1977-78, through Year 1981-82, the funding from the City's General Fund and Federal pass-through dollars totals $425,922. Expenses of the New Way In through September 30, 1981, totals $374,-750.15. I recommend that one of your priorities for fiscal year 1982-83 be to eliminate this agency as a city, general fund, supported activity. The one year savings will approximate $60,000.

Trusting you will act, I remain

Sincerely,

GERALD W. GRAVES,
Mayor.

Referred to Committee of the Whole.

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December 8, 1981

Council President Lucile Belen and
Members of the Lansing City Council

10th Floor, City Hall

Lansing, Michigan 48933

Dear Council President and Members:

One of the most difficult and complicated things for local governments to achieve in the State of Michigan is that of a Metropolitan Form of Government. It is not difficult to achieve in some states, or in some parts of Canada, but it is here in our own State. Metropolitan Form of Government has for years, been a great conversation piece for university professors, news reporters and candidates for state and local offices. All agree that better services and more efficiency can result from the system to the benefit of those who really pay the tax-bill, namely, the taxpayers.

Yet, local discussion cannot achieve, for our own area, the Metropolitan Form of Government, a system which would eliminate overlapping of police protection, fire department services, public service and recreation. Too, the Metropolitan Form of Government would weld together economic development, and the increased tax-base and positions of employment, which naturally go with it.

The achievement of Metropolitan Form of Government in the State of Michigan generally belongs to the Legislature. It was on this basis that I recommended action by you in my State of the City Message, date of January 26, 1981. My recommendation was as follows:

"METROPOLITAN GOVERNMENT—Today, our area governments are in competition with each other, with the rest of the State, and the rest of the United States. For this area to remain competitive, the best form of government possible is necessary, to prevent the duplication of government services for public safety and public services. This type of government is the metropolitan government as found in Indianapolis, Minneapolis, and Nashville. The Michigan Constitution provides that the legislature '. . . may establish in metropolitan areas additional forms of government or authorities with powers, duties and jurisdictions as the legislature shall provide. Wherever possible, such additional forms of government or authorities shall be designed to perform multi-purpose functions rather than a single function.' I would recommend to you that a merger of Lansing and the surrounding townships could provide such efficiencies, as have been achieved in the cities mentioned above, and I would request that City Council adopt a resolution asking the legislature to study such a consolidation. This would benefit the citizens throughout this area who are already receiving some City services, but not receiving the full benefits which might be provided to them.

"I recommend to you this approach for the good of all, and request that you approve a resolution requesting the Michigan Legislature to undertake a study to the benefit of the area. Truly, this could be a model for other areas of the State of Michigan, I commend this necessary approach to you — especially for the good of today's youth, and the generations to follow."

To date, I have no knowledge that you have formally responded to that aforementioned recommendation. Therefore, after a lapse of almost 11 months, I am again asking you to respond in a positive manner.

You know, and I know, that the State of Michigan is in financial trouble and that the fund returns to all local units of government have been substantially cut back—too, it is obvious, that there are more cuts to come. And, at the Federal level, funds for local units of government have been reduced by billions of dollars — this is only the tip of the iceberg. It behooves us to bring about the best form of government possible, a Metropolitan Form of Government, so that we all can benefit for the most good.

The Legislature of the State of Michigan can create the necessary study to determine the system and the area to be involved. The State Constitution grants the Legislature the authority to create the Metropolitan Form of Government.

I recommend action on your part.

Sincerely,

GERALD W. GRAVES,
Mayor.

Referred to Committee of the Whole.

December 7, 1981

Ms. Theo Fulton, City Clerk

Council President Lucile Belen and
Council Members

10th Floor, City Hall

Lansing, Michigan 48933

Dear City Clerk, Council President
and Council Members:

Section 5-106.4 of the City Charter states that: "Each advisory board shall, prior to December 1, prepare a written report evaluating the effectiveness and analyzing the status and priorities for services and activities of the agency it advises. Copies thereof shall be filed with the Mayor, the Council and the Clerk." The various City departments have worked diligently with their boards to complete those reports within the Charter deadline.

My first notification went to all advisory boards on September 1, 1981, reminding them of their Charter obligation; however,

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as many of these boards meet only once monthly, it has not been possible for all of them to meet the Charter deadline. You have before you now most of those reports and the ones remaining will be forthcoming following the various board meetings this month.

Sincerely,

GERALD W. GRAVES,
Mayor.

December 10, 1981

Ms. Theo Fulton, City Clerk

Council President Lucile Belen and Council Members

10th Floor, City Hall

Lansing, Michigan 48933

Dear City Clerk, Council President and Council Members:

Attached please find the remaining Board evaluations to be submitted per Section 5-106.4 of the Lansing City Charter. The attached evaluations are for the following Boards:

Parks Board

Waterfront Development Board

Citizens' District Councils No. 1, 2, 3 and 4.

Sincerely,

GERALD W. GRAVES,
Mayor.

Received and placed on file.

December 7, 1981

Council President Lucile Belen and Members of the Lansing City Council

10th Floor, City Hall

Lansing, Michigan 48933

Dear Council President and Members:

In accordance with Article 4, Section 102.8 of the Lansing City Charter, attached please find the City-owned Real Property Inventory for 1981.

Sincerely,

GERALD W. GRAVES,
Mayor.

Received and placed on file.

DATE: 12/9/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Submission of attached correspondence from the Police Chief. Re: Complaints of Mary Haney

The attached correspondence is submitted for your information.

GERALD W. GRAVES,
Mayor.

Received and placed on file.

December 9, 1981

Council President Lucile Belen and Members of Lansing City Council

10th Floor, City Hall

Lansing, Michigan 48933

Dear Cuncil President and Members:

Attached is a copy of the Court Opinion and Order, date of December 7, 1981, as issued by Circuit Judge James T. Kallman, Thirtieth Judicial Circuit of Michigan, regarding Teamsters, Local 580 v City of Lansing (File No. 81-28443-AZ). In the Court Opinion and Order, Judge Kallman ordered, adjudged and decreed that the City of Lansing "be enjoined from revoking the use of city-owned automobiles by plaintiff's members until MERC makes a ruling on the merits of plaintiff's complaint, scheduled for hearing on January 5, 1982."

Your watered down "vehicle policy" was estimated to save $26,000. The aforementioned action will bring the estimated savings way down. However, as sure as we will have snow this winter, other groups representing various City employees will follow the action taken by the Teamsters. This will bring the estimated savings down even further.

Basically, this "savings" will not be a savings in total, because more dollars in time, in trying to resolve your policy, have been expended than will be saved. Meetings have been held, reports made, appeals received, "hardship" hearings have been held, etc. — the detailed appeals of one department, alone, necessitated by your policy, was covered in a report more than one inch in thickness. The time element regarding analysis was lengthy, and, now, most of the effort was for naught.

When all is said and done, it is conceivable that only Department Heads and Assistants will lose their vehicles. The rest will retain their vehicles per Court orders and MERC. The oddity very likely to take place is that union members, who use City vehicles for weekend and evening City affairs, will receive overtime payment — the Department Heads and Assistants will use their own vehicles and receive no overtime compensation. Another oddity is that your "vehicle policy" takes away the cars of the Police Chief, Police Deputies, Public Service Director, Public Service Department construction inspectors, Safety Director, etc., but permits retention of a vehicle by

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the Civic Center Manager. Strange, but true.

It has been said that it is the Administration's responsibility to carry out policy of City Council. Be assured, I will carry out whatever part of the policy remains, after Court Orders and Opinions. Therefore, be advised that it is my intention to have whatever vehicles remain after the aforementioned runs its course parked between December 28, and the off-days of December 31 and January 1. This would be approximately 22 vehicles of the union exempt personnel.

Trusting this meets with your approval, I remain

Sincerely,

GERALD W. GRAVES,
Mayor.

Referred to the Special Vehicle Committee.

DATE: 12/10/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Mayor's Economic Development Advisory Group. Re: Tax Abatement — Establishment of a Commercial Redevelopment District at the southwest corner of Dunckel and Collins Road (CRD-11-81)

The attached correspondence is forwarded with my cocnurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Economic Development.

DATE: 12/10/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Mayor's Economic Development Advisory Group. Re: Designation of Project Area for EDC Financing, 5015 S. Cedar (EDC-3-81)

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Economic Development.

DATE: 12/10/81

TO: Council President Lucile Belen and Members of the Lansing City Council

FROM: Gerald W. Graves, Mayor

SUBJECT: Communication from Transportation Engineer regarding Adult Crossing Guard Study

The attached communication is forwarded for your information.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Public Property and Safety.

DATE: 12/11/81

TO: Council President Lucile Belen and Members of the Lansing City Council

FROM: Gerald W. Graves, Mayor

SUBJECT: Communication from Fire Department re: Suppression Overtime—Account No. 101-339-000-708.

The attached is forwarded for your review and decision. It is of utmost importance, and should get careful consideration.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Ways and Means.

December 11, 1981

Council President Lucile Belen and
Members of the Lansing City Council

10th Floor, City Hall

Lansing, Michigan 48933

Dear Council President and Members:

Fire Chief Peter Decker previously had announced his retirement effective December 31, 1981, at midnight. Because of the possibility that none of the present complement will qualify, in total, for the now posted position of Fire Chief, and the possibility of a delay in naming an individual to the post, Chief Decker has consented to withdraw his retirement request temporarily. Hopefully, he will remain for whatever time it takes the Board of Fire Commissioners to nominate a candidate(s) to the Mayor-elect.

Sincerely,

GERALD W. GRAVES,
Mayor.

Received and placed on file.

COUNCILMAN BLAIR left the session.

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## RESOLUTIONS

By COMMITTEE OF THE WHOLE—

Resolved by the City Council of the City of Lansing:

Whereas, Paul Treska had served the Lansing community since October of 1970 as a member of the Police Board; and,

Whereas, not only did he serve as a very dedicated board member, his service and dedicated to many of his numerous activities in the labor movement demonstrated his love and consideration for mankind; and,

Whereas, Mr. Treska served his country as a Marine during World War II and upon his return was employed with the Chesapeake and Ohio Railway Company until he was elected to the office of Secretary-Treasurer, Local Chairman and Legislative Representative in Local No. 1066 of the Brotherhood of Railroad Trainmen in Flint, Michigan; and,

Whereas, Mr. Treska also served in other capacities within the United Transportation Union and the AFL-CIO. He also served on various state boards and committees pertaining to transportation and particularly rail transportation; and,

Now, Therefore, Be It Resolved that the Lansing City Council does honor and praise Mr. Treska's contributions to the community, the State of Michigan and to his fellow man.

LUCILE BELEN,
Council President,

JACK GUNTHER,
Council Vice-President,

THEO FULTON,
City Clerk,

LOUIS ADADO,
Councilman,

JAMES D. BLAIR,
Councilman,

SID WORTHINGTON,
Councilman,

PATRICK LINDEMANN,
Councilman,

WILLIAM BRENKE,
Councilman,

TERRY McKANE,
Councilman.

Adopted by the following vote:

Unanimously.

By COUNCILMEN ADADO, BELEN, BLAIR, BRENKE, GUNTHER, LINDEMANN, McKANE, and WORTHINGTON—

Resolved by the City Council of the City of Lansing:

Whereas, Mr. Budd Rutter passed away on the 15th of November, 1981, and

Whereas, Budd served on the Public Service Board, including several terms as Chairman, from July of 1973 until his death; and

Whereas, his diligence and commitment to the provision of quality city services yielded many benefits to the citizens of Lansing; and

Whereas, he was instrumental in the research and promotion required to convince the Public Service Department to begin utilizing the "one-man packer" system for refuse collection wihch has proved to be very efficient and beneficial; and

Whereas, Budd Rutter enjoyed a successful career in real estate in Lansing working with the Edward G. Hacker Company, his own company, and most recently with the Walter Neller Company; and

Whereas, Mr. Rutter's passing affects us all as his years of service and dedication to this community will not be forgotten;

Now, Therefore, Be It Resolved, the City Council of the City of Lansing, on behalf of all Lansing residents, hereby expresses its heartfelt sympahty to the family and close friends of Budd Rutter; and

Be It Further Resolved a copy of this resolution shall be forwarded to Mr. Rutter's family in full recognition of his significant contribution to our community.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON GENERAL SERVICES—

Resolved by the City Council of the City of Lansing:

Whereas, the Lansing Director of the Department of Building Safety and Development determined that the building located at 420 South Pennsylvania Avenue legally described as:

420 Suth Pennsylvania — E. 45 ft. of S. 57 ft. of Lot No. 36 and S. 57 ft. Lot No. 37, Block 3, Lansing Improvement Company's Addn., 3301-15-352-191

was an unsafe or dangerous building as defined in Seciton 9A-13 of the Lansing Uniform Housing Code and the Housing Law of Michigan; and

Whereas, a hearing was held by the Hearing Board on October 22, 1981, at which the hearing officers determined that said building was an unsafe or dangerous building and ordered the building demolished or otherwise made safe; and

Whereas, said hearing officers filed a report of their findings and order with the

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Lansing City Council, and have requested the City Council to take appropriate action under the Housing Code and the Housing Law of Michigan; and

Now, Therefore, Be It Resolved, that the City Council of the City of Lansing hereby approves the order of the hearing officers requiring the demoliiton or making safe of said building; and

Be It Further Resolved, that the owners are hereby directed to comply with the order of the Hearing Officers to demolish or otherwise make safe the said building within twenty (20) days from the date of this resolution; and

Be It Further Resolved, that should the owner fail to substantially comply with the hearing officers' order for demolition or otherwise make safe, the Director of the Department of Building Safety and Development is hereby directed to proceed with demolition of said building; and

Be It Further Resolved, that the cost of such demolition shall be a lien against the real property and shall be reported to the City Assessor who shall assess the same against the property upon which the building is presently located; and

Be It Further Resolved, that the owner in whose name the property appears upon the last local tax assessment record shall be notified of the amount of such cost by first class mail at the address shown on the records. Upon his failure to pay the same within thirty (30) days after mailing by the City Assessor of the notice of the amount thereof, the Assessor shall add the same to the next tax roll of the City of Lansing and the same shall be collected in the same manner in all respects as provided by law for the collection of taxes in the City of Lansing.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PUBLIC PROPERTIES AND SAFETY—

Resolved by the City Council of the City of Lansing:

Whereas, the City of Lansing has been requested to vacate the Spring Street right of way east of the Conrail Line property so that Spartan Oil Corporation can construct at 12,000 square foot warehouse adjacent to their current property; and

Whereas, the request has been reviewed by the Planning Board and the Mayor, resulting in a joint recommendation to approve the vacation subject to retention of utility easements; and

Whereas, the Plannnig Board further recommended that the Wolverine Development Corporation, acting on behalf of Spartan Oil Corporation, coordinate any building construction plans with the Public Service Department and the Board of Water and Light regarding potential limits to expansion posed by in-ground utilities; and

Whereas, Wolverine Development Corporation has agreed, by letter dated December 4, 1981, to grant to the City a 10 foot easement through their property for the purpose of extending the City's Hiking/Biking path south from East Main Street to Spring Street;

Now, Therefore, Be It Resolved the Lansing City Council hereby approves the vacation of the public right of way of Spring Street east of the Conrail property line, such vacation legally described as:

Commencing Southeast corner, Lot 5, Block 227, then South 89° 52′ 22″ West 85.84 feet South 41.25 feet West 5.27 feet, South 41.25 feet, North 89° 57′ 22″ East 91.11 feet North 82.5 feet to beginning. Original Plat of City of Lansing, Ingham County, Michigan. (Parcel located south of 3301-21-228-020)

subject to the retention of all utility easements and subject to approval of documents as to form by the City Attorney; and

Be It Further Resolved, the City Clerk is requested to file this resolution of vacation for official recording with the appropriate local and state governmental agencies.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON ECONOMIC DEVELOPMENT—

City of Lansing
County of Ingham, Michigan

RESOLUTION APPROVING SPEAKER-HINES & THOMAS, INC. PROJECT PLAN AS SUBMITTED BY THE ECONOMIC DEVELOPMENT CORPORATION OF THE CITY OF LANSING

Minutes of a regular meeting of the City Council of the City of Lansing, County of Ingham, Michigan, (the "Council"), held in said City on December 14, 1981, at 7:00 o'clock p.m., Eastern Standard Time.

Present: Councilmen Belen, Blair, Brenke, Gunther, Lindemann, McKane, Worthington.

Absent Councilman Adado.

The following preamble and resolution were offered by Councilman Gunther and supported by Councilman Brenke:

Whereas, there exists in the City of Lansing, County of Ingham, Michigan (the "City") the need for certain programs to alleviate and prevent conditions of unem-

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ployment and to assist and retain local industrial and commercial enterprises in order to strengthen and revitalize the City's economy; and

Whereas, a program to alleviate the aforesaid conditions has been initiated by The Economic Development Corporation of the City of Lansing (the "corporation"); and

Whereas, the Corporation in conformity with Act No. 338 Public Acts of Michigan, 1974, as amended ("Act No. 338"), has prepared and submitted a project plan, as amended, providing all information and requirements necessary for a project; and

Whereas, in conformity with Act No. 338 this Council has conducted a public hearing on said project plan; and

Now, Therefore, Be It Resolved:

1. The project plan, as submitted and approved by the Corporation, meets those requirements set forth in Section 8 of Act No. 338.

2. The persons who will be active in the management of the project for not less than one year after approval of the project plan have sufficient ability and experience to manage the project properly.

3. The proposed methods of financing the project as outlined in the project plan are feasible and the Corporation has the ability to arrange or cause to be arranged, the financing.

4. The project as submitted is reasonable and necessary to carry out the purposes of Act No. 338.

5. Based upon the information submitted and information obtained at public hearings, the project plan as submitted and the project to which it relates, serves to alleviate and prevent conditions of unemployment, strengthen and revitalize the City's economy, encourage the location and expansion of enterprises in the City, and, therefore, constitutes an essential, vital and necessary public purpose.

6. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same hereby are rescinded.

Ayes: Councilmen Belen, Brenke, Gunther, Lindemann, McKane, Worthington.

Nays: None.

Resolution declared adopted.

THEO FULTON,
City Clerk.

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City Council of the City of Lansing, County of Ingham, Michigan, at a regular meeting held on December 14, 1981, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, and that the minutes of said meeting were kept and will be or have been made available as required by said Act.

THEO FULTON,
City Clerk.

Adopted by the following vote:

Unanimously.

COUNCILMAN BLAIR returned to the session.

By COUNCILMAN WORTHINGTON—

Whereas, it is deemed desirable to amend the Classification provided for in the Zoning Code of the City of Lansing, passed on the 13th day of November, 1958, in the following particulars, viz:

That property described as:

Z-35-80 — 6534 Aurelius Rd.,

be re-zoned from "A" One Family Residential District to "I" Heavy Industrial District and the "Map" be changed to indicate such transfer;

Therefore, be it resolved, that the City Clerk shall give at least fifteen days notice of a public hearing when all persons interested may attend and make any objections they may have to such proposed changes in said Zoning Code.

Resolved further, that such hearing shall be held at the Council Chamber in the City Hall on the 11th day of January, 1982, at 7:00 o'clock p.m., and that notice of such hearing be published in the official publication of said city, as required by law.

Adopted by the following vote:

Unanimously.

By COUNCILMAN WORTHINGTON—

Whereas, by petition duly filed on the 8th day of September, 1981, this council was petitioned to change the following described property from "A" One Family Residential District to "C" Two Family Residential District all as set forth in the Zoning Code of this city, and

Whereas, due notice as required by law has been given for a public hearing on said petition, and

Whereas, at such hearing held on the 30th day of November, 1981, all parties interested therein were heard and given due consideration, and

Whereas, the property involved is described as:

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Z-30-81 — 3300 Brisbane Drive, Parcel No. 3301-30-326-071.

More particularly described as:

The east 55 feet of Lot 97 and the west 45 feet of Lot 98, Scotsdale Subdivision No. 2, City of Lansing, Ingham County, Michigan;

from an "A" One Family Residential District to a "C" Two Family Residential District.

Whereas, pursuant to Act 207, Public Acts of 1921 as amended, the Planning Board advised the City Council to deny this request; and

Whereas the Physical Development Committee of City Council, to whom was referred the report of the Planning Board, concurred therewith;

Now, Therefore, Be It Resolved that the Council of the City of Lansing ordains that the request to rezone the above described property from "A" One Family Residential District to "C" Two Family Residential District be denied; and

Be It Further Resolved that the City Clerk be, and she is hereby, directed to notify the applicant of this action.

Adopted by the following vote:

Unanimously.

PUBLIC IMPROVEMENT V

By PHYSICAL DEVELOPMENT COMMITTEE—

Resolved by the City Council of the City of Lansing:

That the supplementary special assessment roll for Miller Rd. widening, storm and sanitary sewer, curb and gutter:

Assessment Roll No. 262

Location —

W. Miller Rd. from Logan St. to Marywood Ave.

as returned by the City Assessor be and the same is hereby ratified and confirmed, and that the Mayor be and hereby is directed to affix within ten days, his warrant directing the City Treasurer to refund to all persons who have paid said tax as originally assessed the pro rata amount of difference as shown in said supplementary roll, and collect all unpaid tax as shown on said roll on or before March 14, 1982.

Adopted by the following vote:

Unanimously.

PUBLIC IMPROVEMENT V

By PHYSICAL DEVELOPMENT COMMITTEE—

Resolved by the City Council of the City of Lansing:

That the supplementary special assessment roll for Rolfe St. and Others storm and sanitary sewers (Assessable amount of storm sewer corrected on P.I. IV):

Assessment Roll No. 279

Locations —

Rolfe St. from Miller Rd. to N. end of street;

Sidney St. from Reo Rd. to Jolly Rd.;

Sanitary Sewer

Location —

E. Cavanaugh Rd. from outlet E. of RR to Aurelius Rd.

as returned by the City Assessor be and the same is hereby ratified and confirmed, and that the Mayor be and hereby is directed to affix within ten days, his warrant directing the City Treasurer to refund to all persons who have paid said tax as originally assessed the pro rata amount of difference as shown in said supplementary roll, and collect all unpaid tax as shown on said roll on or before March 14, 1982.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON WAYS AND MEANS—

Resolved by the City Council of the City of Lansing:

Whereas, the City has received a bona fide offer to purchase excess City owned property located at 501 North Butler Boulevard; and

Whereas, a public hearing on the proposed sale of this property was held November 10, 1981; and

Whereas, sale of this property is in the best interest of the City, and has been recommended by the Mayor;

Now, Therefore, Be It Resolved the Lansing City Council hereby approves the sale, for fair market value, of City-owned property at 501 North Butler Boulevard, legally described as:

Lot 25, except the north 31.5 feet, of Light's Subdivision, West of Butler, all being in the City of Lansing;

subject to retention of all appropriate utility easements and subject to approval of documents as to form by the City Attorney.

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By COUNCILMAN BLAIR—

That this be referred to the Committee on Ways and Means and the Committee on Public Property and Safety.

Carried.

By COMMITTEE ON WAYS AND MEANS—

Resolved by the City Council of the City of Lansing:

Whereas, a vacancy exists on the City Council-appointed Income Tax Appeals Board; and

Whereas, Donald Pickard, 1506 James Street, has applied for appointment to this board;

Now, Therefore, Be It Resolved the Lansing City Council hereby appoints Donald Pickard to the Income Tax Appeals Board for a term to expire June 30, 1985.

Adopted by the following vote:

Unanimously.

By COMMITTEE OF THE WHOLE—

Resolved by the City Council of the City of Lansing:

Whereas, the Ad Hoc Parking Study Committee has considered many aspects of the parking situation in Lansing both present and future; and

Whereas, good decisions must be based on accurate factual data, and the City currently has no information regarding the feasibility of vertical expansion on three (3) of our four (4) downtown parking garages;

Now, Therefore, Be It Resolved, the City Council of the City of Lansing hereby authorizes the expenditure of up to $8,000 for the administration to retain a private consulting firm to examine the feasibility of vertical additions to the North Capitol, North Grand and South Grand garages; and

Be It further Resolved, the Administration shall be responsible for monitoring the performance of the contractor in light of the terms and conditions set forth.

Adopted by the following vote:

Unanimously.

By COMMITTEE OF THE WHOLE—

Resolved by the City Council of the City of Lansing:

Whereas, the Lansing Regional Chamber of Commerce announced its aggressive support for establishing Lansing as a Port of Entry in early October; and

Whereas, this announcement was the culmination of a two year feasibility study to determine if the Lansing area had sufficient import activity to justify such a designation; and

Whereas, the study revealed Lansing's 5,000 formal and informal entries far exceed the 1,500 required by the United States Department of Customs for consideration for Port of Entry status; and

Whereas, establishing Lansing as a Port of Entry will benefit not only our local businesses but also the community as a Whole;

Now, Therefore, Be It Resolved the City Council of Lansing hereby lends its full support and approval to the application being submitted to the United States Department of Customs to make the three county Lansing region a Port of Entry.

Adopted by the following vote:

Unanimously.

Agenda Item 8

By COMMITTEE ON WAYS AND MEANS—

Resolved by the City Council of the City of Lansing:

That the following transfers be approved:

$15,000.00 from Reserve for Contingency
A/C 101-941-000-963

$15,000.00 to Professional Services—Legal
A/C 101-226-000-801

$ 273.60 from General Fund Estimated Revenues
A/C 101-000-000-160

$ 273.00 to Police Administration Citizen's Contribution
A/C 101-305-000-956

$27,800.00 from Reserve for Contingency
A/C 101-941-000-963

$27,800.00 to Police Uniform Division Wages—Temp. Help
A/C 101-316-000-707

$15,000.00 from City Portion—Sanitary Sewers
A/C 590-536-608-974

$15,000.00 to Waverly Road Interceptor
A/C 590-536-202-974

I hereby certify that this is a properly drawn and eligible transfer.

JAMES W. DOWSETT,
Finance Director.

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Approved:

TERRY J. McKANE,
JACK D. GUNTHER,
WILLIAM A. BRENKE,
Ways and Means Committee.

By COUNCILMAN GUNTHER—

That the transfer of funds in the amount of $27,800.00 be deleted from this resolution and referred back to the Committee on Ways and Means.

Carried.

By COUNCILMAN BLAIR—

That the transfer of funds in the amount of $15,000.00 be voted on separately. (This is the transfer for Professional Services—Legal.)

Carried.

The following vote was taken on the transfer of funds in the amount of $15,000.

Adopted by the following vote:

Yeas: Councilmen Belen, Brenke, Gunther, Lindemann, McKane, Worthington—6.

Nay: Councilman Blair—1.

The following vote was taken on the balance of the transfers in the amount of $273.60 — Police Administration—Citizens' Contribution and the $15,000.00 Waverly Road Interceptor.

Adopted by the following vote:

Unanimously.

By COUNCILMAN GUNTHER—

Resolved by the City Council of the City of Lansing:

That Councilman Adado be excused from the session.

Carried.

## REMARKS BY THE MAYOR'S EXECUTIVE ASSISTANT

No remarks.

## REMARKS BY THE CITY COUNCIL

Councilman Blair spoke on CETA Conference he attended.

By COUNCILMAN GUNTHER—

That this meeting stand adjourned.

Carried.

Council adjourned at 10:00 P.M.

THEO FULTON,
City Clerk.

Lansing, Michigan

December 14, 1981

F/B

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CITY CLERK'S OFFICE
Room 921, City Hall
Lansing, Michigan 48933

Address Correction Requested

BULK RATE
U. S. POSTAGE
PAID
Permit No. 1461
Lansing, Michigan



# OFFICIAL PROCEEDINGS OF
# THE CITY COUNCIL
## OF THE CITY OF LANSING

## Proceedings, December 21, 1981

CITY COUNCIL ROOMS

Lansing, Michigan

December 21, 1981

The City Council of the City of Lansing, Michigan, met in regular session and was called to order by President Belen.

Present: Councilmen Belen, Blair, Brenke, Gunther, Lindemann, McKane, Worthington—7.

Absent: Councilman Adado—1.

The Clerk announced that a quorum of the Council was present.

Invocation was given by Councilman McKane.

Pledge of Allegiance was led by Councilman McKane.

### PUBLIC HEARING

December 21, 1981, at 7:00 o'clock being the time set as the time for holding a public hearing on the proposed sale of property at 1017 E. Grand River Avenue "Homesteading Agreement."

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed sale of property they had the privilege of speaking at this time.

Referred to Committee on Physical Development.

### PUBLIC HEARING

December 21, 1981, at 7:00 o'clock being the time set as the time for holding a public hearing on the proposed Commercial Redevelopment Exemption Certificate for Great Lakes Real Estate Trust, 3128 and 3222 S. Logan St.

The Council President announced that if there was anyone present who had any suggestions or objections to make to the proposed certificate they had the privilege of speaking at this time.

Bill Booie, attorney for Logan Center, spoke.

Referred to Committee on Economic Development.

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Mayor submits a special presentation to Stephen W. Duarte, Controller.

Mayor made presentations of collector's dollar bills to the following individuals: Susanna Harris, Susan Haley, Dominic Cochran, Todd Patrick Lindemann, Amy Drushal, Darrin Beedy, Mary Pazitka, Virginia Noga, Kathleen Noga, Jennifer Anderson, Joyce Jollery, Jennifer A. Dowsett, Jeff Gleason, Kristen Johns, Lisa Marie Lloyd, Caroline Leigh Siwek, Missy Kzeski, Kathleen June Swanson, Rhonda Fortune, Kathy Keeney, Holly Hartsuff, Scott Davenport, Jillianne Lenneman, and Elena Gravina.

President Belen presented resolutions of commendation to Mayor Graves, Councilman Brenke and Councilman Gunther.

Councilman McKane presented a plaque to Councilman Gunther from the Tri-County Regional Manpower Consortium.

Councilman Blair called for a 5-minute recess.

Council recessed at 7:25 p.m. and reconvened at 7:30 p.m.

Ron Onufer presented special certificates to volunteers of Channel 28 who work on the cameras on Monday nights.

Judy Levine, Douglas Hull, Gorden Bell, and Rick Kliman.

**THE PUBLIC MAY NOW ADDRESS THE CITY COUNCIL ON ANY OF THE FOLLOWING ITEMS LISTED ON THE AGENDA: COMMUNICATIONS AND PETITIONS, COMMITTEE REPORTS, REPORTS OF CITY OFFICERS AND BOARDS, AND RESOLUTIONS. YOU MAY SPEAK ONLY FOR 3 MINUTES ON ANY ONE ITEM.**

Mike Seward — Executive Vice President of the Regional Chamber of Commerce, spoke and introduced members of the Chamber who were present and spoke relative to bringing and encouraging business into city and for expansion of Wohlert Corp.

Ken Patenge, President of Wohlert Corp., spoke.

Jim Donaldson, Economic Deevlopment Authority for State of Michigan, spoke.

Irene Gross, 930 Porter St., Chairman of the Northtown Action Committee, spoke and read a statement.

Vicki Chamberlain, Secretary of ACORN, spoke.

Horace Fletcher, of Human Resources, spoke.

Blagoy Pogoncheff, 1509 E. Grand River Ave., spoke.

Lester Turner, attorney for Washington Foods, spoke.

Chris Pogoncheff, 732 Clark St., spoke.

## COMMUNICATIONS AND PETITIONS

The following applications and bonds have been filed for licenses:

AUTO WRECKER —

Roger's Automotive Repair and Towing.

MECHANICAL AMUSEMENT DEVICE —

Mark's Arc.

Referred to Committee on General Services.

Summons and Complaint filed in 54A District Court by Lucius Hayward vs City of Lansing in regard to damage to his automobile due to hitting a manhole cover.

Referred to Mayor, City Attorney.

Summons filed in Circuit Court by Neenah Foundry Co. vs City of Lansing in regard to money that is owed them by B & B Landscaping, Inc., for trees that were sold to B & B Landscaping, Inc., by Neenah Foundry Co. for planting on the "Washington Mall."

Referred to Mayor, City Attorney.

Affidavit and Writ of Garnishment filed by Tremco, Inc. vs Watertight Concrete Systems, Inc. and City of Lansing for money owed them in connection with the work done on the parking ramps.

Referred to Mayor, City Attorney.

Request from Capitol Lodge No. 8, F & AM P.H. Entertainment Committee request special 24-hour liquor permit for December 31, 1981 at National Guard Armory.

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By COUNCILMAN BLAIR—

That the request be approved and the license be obtained from the Michigan Liquor Control Commission.

Carried.

Letter from the Center of Handicapper Affairs submitting request for bingo license and ask the City Council to pass a resolution in support.

Referred to Mayor, Committee on General Services.

Letter from Mrs. Theresa Castle in regard to parking ticket received and the towing away of her car.

Referred to City Attorney, Mayor.

Letter sent to the Director of Public Service by James Burren Brown, Attorney, in regard to Capitol Commons Streets/Michael Murphy Construction — past due debt with Rieth-Riley Construction Co., Inc.

Referred to Mayor.

Letter from Eugene W. Weaver, retired member of the Lansing Fire Department, requesting a cost of living raise in the retirement checks.

Referred to Mayor.

Notification from the Ingham County Health Department that the two establishments that had not renewed their food licenses have now obtained renewal and the settlement of outstanding fees.

Received and placed on file.

Letter sent to the County Clerk by the Department of Transportation in regard to traffic control order which controls speeds on State Trunkline Highway M-99.

Received and placed on file.

Letters from the Michigan Municipal League in regard to:

Requesting that someone be designated as Legislative Coordinator for the City for the 1982 Legislative Session.

Submitting official notice of the National League of Cities Congressional-City Conference to be held in Washington, D.C., on February 27-March 2, 1982.

Submitting the dates and locations of the 1982 series of Regional Meetings.

Referred to Mayor, all City Council members and all department heads.

Michigan Public Service Commission submits application of Michigan Bell Telephone Company for authority to revise its tariffs as they pertain to the offering of Mobile Telephone Service and the offering of wide area service.

Received and placed on file.

**MAYOR'S EXECUTIVE ASSISTANT COMMENTS ON ANY ITEM ON THE AGENDA:**

Mr. Steve Dugan spoke on "911" contract.

Agenda Item 1

**REPORTS OF COMMITTEES**

The COMMITTEE ON GENERAL SERVICES approves the following applications and bonds for licenses:

AUTO WRECKER —

Roger's Automotive Repair and Towing.

MECHANICAL AMUSEMENT DEVICE —

Mark's Arc and Bob's Fruit Market.

PUBLIC DRIVER —

Robert L. Troub.

Signed:

WILLIAM A. BRENKE,
PAT LINDEMANN,
TERRY J. McKANE,
Committee on General Services.

By COUNCILMAN BRENKE—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PHYSICAL DEVELOPMENT —

Re: SUP-17-78

The Committee on Physical Development recommends that the recommendation of the Planning Board that a special use permit be issued to permit operation of a sani-

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tary landfill at the southwest corner of Wood Street and Coleman Road should be approved and adopted subject to the following modifications and conditions:

1. That a plan for development and operation of that land as a sanitary landfill is approved by the Michign Department of Natural Resources and the City of Lansing.

2. That all conditions and requirements set forth in the Code of the City of Lansing are complied with in the plan and operation of said sanitary landfill including, but not limited to, the requirements of Section 36.3 of said Code and all other requirements for screening and buffering.

3. That access to said land for depositing solid wastes shall be through the adjacent sanitary landfill currently owned by Granger Land Development Company and not by means of Coleman Road.

4. That sanitary landfill operations upon said land shall be limited to those of a Type 2 sanitary landfill as specified pursuant to Act 641, Public Acts of 1979 and shall not include the deposition or disposal of hazardous wastes not permitted in a Type 2 sanitary landfill facility.

5. That all changes recommended in the previously proposed deevlopment plan for said landfill be deleted pending review and approval of a revised plan by the City of Lansing.

6. That the proposed requirements regarding Coleman Road and traffic signals be deleted.

7. That the specific screening and fencing requirements recommended be deleted, pending imposition of revised requirements consistent with the City of Lansing's screening and buffering ordinances and to be set forth in the revised plan to develop and operate a landfill upon said property which is to be approved by the City of Lansing.

8. That the Michigan Department of Natural Resources issue all licenses and permits required for the operation of a sanitary landfill upon said property.

Signed:

SIDNEY P. WORTHINGTON,
LUCILE BELEN,
WILLIAM A. BRENKE,
Committee on Physical Development.

Adopted by the following vote:

Unanimously.

## REPORTS OF CITY OFFICERS AND BOARDS

December 16, 1981

President Lucile Belen and

Members of Lansing City Council

Re: Claim of Robert L. Bancroft in the amount of $20.00

Dear President Belen and

Members of City Council:

On July 9, 1981, Robert L. Bancroft filed a claim for $20.00 with the City Council for cemetery marker repairs. In his letter, Mr. Bancroft alleges that the headstone of his parents' grave at Evergreen Cemetery had been dislodged and damaged through negligence on the part of cemetery employees. His claim covers his costs in repairing superficial damages and resealing the joint between the monument and its base to prevent further damage from freezing.

Information supplied by the Parks Department personnel supports the contention that the damage was caused by City employees operating either front end loaders in preparation of an adjacent grave site or maintenance vehicles.

Under state statute, a governmental entity may be held liable for property damage caused by the negligent operation of governmental vehicles operated by government employees, MCLA 691.1405; MSA 3.996 (105). Since the facts in this case support the finding of such negligence, this office recommends the payment of this claim in the amount of $20.00.

Respectfully submitted,

STEPHEN R. SAWYER,
City Attorney.

By COUNCILMAN BRENKE—

That we concur in the recommendation of the City Attorney and the City Clerk be and she is hereby directed ot draw a warrant on the City Treasurer in the amount of $20.00 payable to Robert L. Bancroft.

Carried.

December 16, 1981

President Lucile Belen and

Members of Lansing City Council

Re: Claim of Lansing Mercy Ambulance Service in the amount of $104.00

Dear President Belen and
Members of City Council:

The above captioned claim was referred to this office for investigation and recommendation.

On February 3, 1981, a social worker at Lansing Sparrow Hospital contacted the Lansing Fire Department requesting a transport from Sparrow to Ingham Medical of Diane Hawkins of 428 W. Ash Street, Mason, Michigan. The reason for the request was on a Petition for Admission in

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the case of an involuntary mental commitment. While the Fire Department determined at the time of the phone call from the social worker that the nature of the transport was not an emergency, the records of Sparrow Hospital, Ingham Medical Hospital, the treating physician at Sparrow Hospital and the Probate Court do not confirm or deny the medical status of Ms. Hawkins.

Section 4-303.5 of the Lansing City Charter provides:

> "The department shall maintain and operate such ambulance, inhalator, and other life saving and emergency services as the welfare of the inhabitants of the city may require and as the Council may direct."

While it is unclear whether Ms. Hawkins' case constituted an "emergency," because at the time of the transport Ms. Hawkins' place of inhabitance was Mason, Michigan, she is not an inhabitant of the City of Lansing, and thus the City is not responsible for her transport.

Therefore, it is the recommendation of this office that the claim be denied.

Respectfully submitted,

STEPHEN R. SAWYER,
City Attorney.

By COUNCILMAN GUNTHER—

That we concur in the recommendation of the City Attorney and said claim be denied.

Adopted by the following vote:

Yeas: Councilmen Belen, Brenke, Gunther, Lindemann, McKane, Worthington—6.

Nay: Councilman Blair—1.

December 16, 1981

President Lucile Belen and

Members of Lansing City Council

Re: Maplegrove Baptist Church v City of Lansing, MTT Docket No. 46439

Dear President Belen and
Members of City Council:

On June 27, 1980, Rev. Ralph L. Tingley filed a petition in the above referenced matter with the Michigan Tax Tribunal alleging that a certain warehouse facility located at 5937 S. Logan Street had been assigned an assessed value for the purpose of property taxes in excess of 50% of its true cash value and therefore was illegally assessed. The City of Lansing filed its answer asserting that the assessed value which was assigned the subject property by the City Assessor was not in excess of 50% of the property's true cash value and therefore, was legally assessed.

Pursuant to the Michigan Tax Tribunal Rules, a counsel conference was held in the City Assessor's Office. Representatives of the City Assessor's Office and Rev. Ralph L. Tingley were present and both parties exchanged information. Based upon the information which was submitted at the counsel conference by Rev. Ralph L. Tingley and which was not available to the City Assessor's Office at the time the City Assessor's Office placed an assessed value upon the property, Rev. Ralph L. Tingley and the City Attorney are willing to agree that the assessed value of the property for the 1981 tax year should be $38,500.00. While this figure is somewhat less than the $53,600 at which the property was initially assessed by the City Assessor, it is still in excess of the $25,000.00 assessed value originally claimed by the Petitioner and is justifiable in light of the information now available to the City Assessor's Office.

Therefore, based upon the recommendation of the City Assessor's Office, as well as the uncertainty of outcome which exists if the matter should proceed to a hearing, it is the recommendation of this office that settlement of the above referenced tax appeal should be authorized by City Council as described herein.

Respectfully submitted,

STEPHEN R. SAWYER,
City Attorney.

By COUNCILMAN GUNTHER—

That we concur in the recommendation of the City Attorney.

Carried.

December 9, 1981

Lucile Belen
City Council President

10th Floor, City Hall

Lansing, Michigan 48933

Dear Miss Belen:

The Judges of the District Court do not have two benefits which are available to the employees of the District Court.

They are:

(1) The $3,000.00 Life Insurance increase for dependents by Aetna. A payroll deduction pays for this benefit.

(2) Blue Cross-Major Medical Option I, which costs the City $3.60 per month per employee.

The Court is requesting the City Council to pass a resolution allowing the Judges to have the above two benefits.

Sincerely,

WILLIAM E. COLLETTE,
Chief District Judge.

Referred to Committee of the Whole.

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December 3, 1981

Mayor Gerald W. Graves,

Council President Lucile Belen

and City Council Members

Dear Mayor Graves and
City Council Members:

At its regular scheduled meeting held on December 2, 1981, the Economic Development Corporation Board of Directors approved a Resolution Amending Definition of Project (Spartan Store Renovation Project). The Resolution is attached.

The applicant requested that the EDC expand the definition of the Spartan Store Renovation Project to include the renovation, remodeling, development and/or construction of one or more buildings in the designated Project Area.

Sincerely,

EMERSON B. OHL,
Executive Director.

Referred to Committee on Economic Development.

December 17, 1981

Mayor Gerald W. Graves,

Council President Lucile Belen

and City Council Members

Re: Articles of Incorporation of the Economic Development Corporation of the City of Lansing

Dear Mayor Graves and
City Council Members:

At a special meeting of the Economic Development Corporation of the City of Lansing Board of Directors, held on December 16, 1981, the attached Resolution Requesting Amendment to Articles of Incorporation of the Economic Development Corporation of the City of Lansing was unanimously approved.

Sincerely yours,

THOMAS K. GOTENHEIMER,

for
EMERSON B. OHL,
Executive Director.

Referred to Committee on Economic Development.

DATE: 12/14/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Public Service Director. Re: Final cost on construction contract for Kaynorth-Northrup Intersection Improvement — Account No. 801-936-000-974.273

The attached correspondence is forwarded with my concurrence for your action. A Public Improvement V is required.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Physical Development.

DATE: 12/14/81

TO: Council President Lucile Belen and Members of Lansing City Council

FROM: Gerald W. Graves, Mayor

SUBJECT: Vacating a portion of the 100 block parking lot

Attached please find a copy of a communication from Public Service Director Howard G. McCaffery regarding the abovementioned. This is forwarded to you for your information.

GERALD W. GRAVES,
Mayor.

Received and placed on file.

December 14, 1981

Honorable Council President Lucile Belen

and Members of the Lansing City Council

10th Floor, City Hall

Lansing, Michigan 48933

Dear Council President and Members:

This office was recently advised by J. Revell Hopkins, a member of the Senior Citizens Advisory Board, that he no longer desired to serve. Therefore, I am submitting to you, for your consideration and confirmation, the name of Howard H. Jennings to fill said vacancy, which term expires in June of 1982.

Mr. Jennings is a retired Internal Revenue Agent and resides in the City of Lansing at 543 Edison.

Trusting this recommendation meets with your approval, I remain

Sincerely,

GERALD W. GRAVES,
Mayor.

Referred to Committee on Human Services.

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December 15, 1981

Council President Lucile Belen and

Members of the Lansing City Council

10th Floor, City Hall

Lansing, Michigan 48933

Dear Council President and Members:

Please find attached a copy of my letter to you dated August 31, 1981, regarding the sale of the Genesee Center. I supported the sale at that time to Mr. Christopher K. Cooke and I continue to support the sale which has been proposed by the same individual. The only change in Mr. Cooke's offer is that the down payment proposed has been reduced from $5,000 to $3,000.

I urge your immediate action to complete this transaction prior to the end of the year so that the property will be placed on the tax roll for 1982.

Sincerely,

GERALD W. GRAVES,
Mayor.

Referred to Committee on Public Property and Safety.

DATE: 12/17/81

TO: Council President Lucile Belen and Members of Lansing City Council

FROM: Gerald W. Graves, Mayor

SUBJECT: Communication from the Planning Director regarding Traffic Control Measures on Lake Lansing Road.

The attached communication from the Planning Director regarding traffic control measures on Lake Lansing Road is forwarded to you for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Public Property and Safety.

DATE: 12/17/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Director of Building Safety and Development. Re: Request for Public Hearing—1240 Shepard St.

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on General Services.

DATE: 12/18/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Parks Director and City Assessor. Re: Willoughby Road Land Donation.

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Public Property and Safety.

December 17, 1981

Council President Lucile Belen and

Members of the Lansing City Council

10th Floor, City Hall

Lansing, Michigan 48933

Dear Council President and Members:

I wish to advise City Council that a very critical situation has arisen with respect to the 911 emergency operations center. Following a series of meetings over many months in 1980, the Lansing City Controller and City Attorney came to a mutual understanding with Ingham County officials with respect to funding 911 operations.

The Ingham County Board of Commissioners on February 24, 1981 resolved to pay the City of Lansing for Ingham County's 911 costs to that time and to enter into a contract with the City of Lansing based on the revised formula. To date, the Ingham County Corporation Council has not met with the Lansing City Attorney despite repeated contacts to establish the contract for the current fiscal year. Ingham County's share of the current fiscal year's cost is approximately $174,000 — nothing of this amount has been paid with the fiscal year half over.

The result of this failure to pay has brought the 911 accounts to critically low points. The account for Miscellaneous and Operating expenses (101-309-000-741), which includes telephone expenses, is very nearly depleted, and could well run out in January. The account for Maintenance and Repair (101-309-000-930) is not over-expended, but is over-encumbered by $18,500. This amount substantially represents an equipment maintenance contract which will have to be terminated in the near future if these matters are not resolved.

Some action will be necessary by City Council due to the revised formula to juggle the County's share of funding to appropriate accounts. However, this restructur-

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ing has not been presented for your action due to the lack of a formal contract to this time.

It is a very real possibility that unless the contractual matters are resolved immediately that the 911 center may be forced to shut down. The state law is quite clear that the spending cannot be done without appropriated funds, and I will observe state law even if such a drastic measure as terminating 911 service should become necessary. I have been advised that the attorney representing Ingham County has been out of town recently and will not return until Tuesday, December 22, 1981. The City Attorney will be recontacting him on that date in an effort to resolve this critical situation.

Sincerely,

GERALD W. GRAVES,
Mayor.

Referred to Committee on Public Property and Safety.

DATE: 12/17/81

TO: Council President Lucile Belen and Members of the Lansing City Council

FROM: Gerald W. Graves, Mayor

SUBJECT: Communication from the Planning Director regarding private use of public rights-of-way

The attached communication from the Planning Director regarding private use of public rights-of-way is forwarded to you for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Public Property and Safety.

DATE: 12/17/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Planning Director. Re: Z-36-81 — 1106 E. Oakland

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Physical Development.

DATE: 12/17/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Planning Director. Re: ACT-62-81 Dart Energy Center.

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Physical Development.

DATE: 12/17/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Mayor's Economic Development Advisory Group. Re: Tax Exemption Certificate Application — Logan Center (CRD-2-81)

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Economic Development.

DATE: 12/17/81

TO: City Council President and Members

FROM: Gerald W. Graves, Mayor

SUBJECT: Concurrence with attached correspondence from the Planning Director.
Re: ACT-58-81 Shepard Street at I-496
ACT-57-81 119 N. Washington Sq.
ACT-56-81 Berwick Drive
ACT-53-81 200 N. Washington Sq.
ACT-19-81 227 S. Washington Sq.

The attached correspondence is forwarded with my concurrence for your action.

GERALD W. GRAVES,
Mayor.

Referred to Committee on Physical Development.

December 18, 1981

Council President Lucile Belen and

Members of the Lansing City Council

10th Floor, City Hall

Lansing, Michigan 48933

Re: Act 312 Compulsory Arbitration Award

Dear Council President and Members:

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The purpose of this letter is to transmit for your information copies of the recently issued Act 312 Compulsory Arbitration Award covering the Fraternal Order of Police Non-Supervisory Division.

A brief summary of the Arbitrator's decision with respect to those issues submitted to him for determination is as follows:

1. Wages — The City's last best offer of an increase of 3.75% to existing (July 1, 1980) salary and wage rates. The Union's last best offer of 5% as contrasted to that of the City's last best offer was not accepted.

2. Holidays—The Lodge's last best offer of two Holidays in addition to the six provided for under the previous collective bargaining agreement was accepted by the Arbitrator. The City's last best offer of no additional Holidays despite the fact that the Fraternal Order of Police Non-Supervisory Division as to total time off compares very favorably both with other City of Lansing employees agreements and other cities of similar size and comparison was not accepted.

3. Promotional Procedures — The existing promotional procedures which provides for promotion from the rank of Police Officer to Detective/Corporal based on merit is retained. This may be contrasted with the Uion's position that all such promotions be based exclusively on seniority.

4. Sick Leave — The City's position with respect to Sick Leave, that being that no changes or additions to the existing Sick Leave benefit be granted, was adopted. This may be contrasted with that of the Union which would have required money payments or time off equivalent to an additional salary increase of almost 2%.

5. Uniform Maintenance — The last best offer of the Lodge was adopted which provides for a continuation of the $90.00 per year paid to plain clothes officers to help defray their cleaning expenses for plain clothes.

6. Parking — The last best offer of the Lodge which requires the City to provide 100 parking spaces or fees paid for the same was adopted. The City's position with respect to this issue that the existing benefit (partial subsidization) be retained was rejected despite the fact that this is clearly contrary to the proofs in the case.

7. Gun Allowance — The Arbitrator's Award with respect to this issue provides for an increase of $100.00 to the existing $150.00 annual benefit in compensation for the requirement of off-duty officers carrying their weapon.

8. Lodge President's Leave — The City's position that no additional time be provided the Capitol City Lodge President for the conduct of Union business at City expense is sustained. This may be contrasted with the Lodge's position that such time be doubled.

9. Management Security — A number of changes were proposed by the Lodge in an attempt to alter the Management Security clause of the agreement. These changes were not adopted by the Arbitrator. The status-quo with respect to this issue is maintained.

10. Mileage — The City's last best offer with respect to the Lodge's request that officers be compensated for mileage when required to attend Court proceedings while off duty is adopted. No additional compensation was determined to be required by the Arbitrator in view of the already generous over-time provision therefore.

11. "Merit" v. "Unit" — The Lodge position that granting salary increases be awarded police officers on the basis of the passage of time was adopted. The City's position that such salary increases continue to be subject to a determination of the fitness of the officer's performance in order to merit such an increase was not adopted. This issue of all the issues in dispute is so clearly contrary to the proofs in the case that Circuit Court review of this item in the Award may well be determined to be appropriate. This matter is still under consideration.

The overall impact of the award is $1,257,400 in increased cost for the two year period. Of this amount, approximately $194,000 is unbudgeted. In light of this, I recommend that you, the Mayor-elect, the Finance Director and the Budget Director meet to discuss budgetary implications, especially since some action will be required within the very near future.

I wish to take this opportunity to strongly disagree with the gratuitous and highly inappropriate remarks of the Arbitrator with respect to his characterizations of the City's labor relations posture. We live in an imperfect world where conflict is inevitable when the subject is economic gain or loss. The Legislature has provided a statutory scheme for the resolution of these conflicts. I challenge anyone to make a substantive case that the City has failed to comply with the statutory scheme as we know it. Arbitrators seem to pay little heed to financial standings of local governments —their decisions are always "more, more and more." This is evidenced in awards not only here, but in Detroit, and elsewhere. The net results mean lay-offs of personnel, personnel who could remain in positions of employment if only Arbitrators were less generous.

Sincerely,

GERALD W. GRAVES,
Mayor.

Referred to Committee of the Whole.

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## RESOLUTIONS

Resolved by the City Council of the City of Lansing:

Whereas, On July 28, 1923, Gerald William Graves entered this world in Alpena, Michigan, born in humble beginnings; and

Whereas, Gerald W. Graves worked as a newsboy, doorman, and janitor while completing his high school education and also participating in varsity football, basketball, swimming, baseball and hockey, and was a member of the Alpena Boys' Club; and

Whereas, Gerald W. Graves was graduated from the U.S. Merchant Marine Academy in Kings Point, New York, at age of 20, with a Bachelor of Science degree in shipping administration and an ensign's commission, and later he earned a Master of Science degree from Michigan State University in political science; and

Whereas, Gerald W. Graves was first elected to the Michigan House of Representatives from the Alpena District in 1950, at the age of 26, and served two terms in the State legislature, then was employed as Executive Director of the Michigan Good Roads Federation for seven years, promoting the completion of Michigan's limited access highway system, and in 1961 was selected as Treasurer for the City of Lansing; and

Whereas, on April 7, 1969, Gerald W. Graves was elected Mayor of the City of Lansing, where he has served for the past 12½ years, a record of tenure surpassed only by Mayor Ralph W. Crego in the history of the City; and

Whereas, during his terms in office, Mayor Graves has pursued a program of financial stability in the City government, moderation in property taxes, and continued improvements in the City's system of streets, sewers, and public facilities as well as efficiency among the City departments;

Now, Therefore, Be It Resolved the City Council of the City of Lansing hereby extends this resolution of tribute to Gerald W. Graves, who has given so much of his time, his energy, his loyalty and his love to the people of the City of Lansing; and

Be It Further Resolved the Lansing City Council commends the insight and integrity of Gerald W. Graves, whose ability to analyze and research the issues facing the City caused this Council to more fully ponder and debate at all times before reaching conclusions in the best interests of City residents; and

Be It Finally Resolved the City Council of the City of Lansing warmly wishes a long, healthy and happy retirement to Gerry Graves and his wife, Donna, and hopes for enjoyment and enrichment in all their future endeavors.

Adopted by the following vote:

Unanimously.

Resolved by the City Council of the City of Lansing:

Whereas, Jack Gunther has determined to retire from service on the City Council, after twelve years; and

Whereas, Councilman Jack Gunther has maintained a tradition of responsiveness to the residents of Lansing's Fourth Ward during this time; and

Whereas, Jack has never been afraid to tackle the "hard ball" issues to be in the best interests of his constituents; and

Whereas, his positive rapport with citizens from all segments of the community has afforded him a wide and varied perspective on many policy issues discussed by the Council; and

Whereas, Councilman Gunther has earned the nickname "Mr. Parade" for his selfless efforts in organizing Memorial Day Parades, Fourth of July Parades and any number of other parades and events over the past twelve years; and

Whereas, the many community organizations and individuals with whom Jack communicated on a regular basis are losing a real champion on the 10th floor; and

Whereas, "Jackson" will be missed, especially by his friends around City Hall;

Now, Therefore, Be It Resolved, the City Council of the City of Lansing hereby officially thanks Jack Gunther for his exemplary service to the citizens of Lansing; and

Be It Finally Resolved, the City Council wishes the very best for Jack and June in their retirement years.

Adopted by the following vote:

Unanimously.

Resolved by the City Council of the City of Lansing:

Whereas, Mr. William A. Brenke has served the citizens of Lansing's second ward for 12 years; and

Whereas, over the years Bill's face has been a familiar sight to his constituents whether assessing damage in a flooded basement or reviewing a property to be rezoned; and

Whereas, Bill Brenke has served ably on virtually every standing committee of Council during his tenure as Second Ward Councilman; and

Whereas, Bill's long work experience and knowledge of Lansing have been of great value in the day to day discussions on Council policy; and

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Whereas, probably the most visible achievement which can be attributed to Bill is the William A. Brenke River Sculpture Fish Ladder at the dam in North Lansing; and

Whereas, his tireless dedication to this dream which has finally come true bringing salmon and trout to the Grand River here in Lansing, demonstrates what a man of real character can do;

Now, Therefore, Be It Resolved, the City Council of the City of Lansing hereby extends its heartfelt gratitude and sincere appreciation to Mr. William A. Brenke for his tremendous contribution to this City; and

Be It Further Resolved, the Council wishes Bill and Myrtle every happiness and a prosperous retirement; and

Be It Finally Resolved, the doors and hearts of City Hall will always be open to the Brenkes.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON ECONOMIC DEVELOPMENT—

RESOLUTION APPROVING PROJECT AREA, ESTABLISHING PROJECT DISTRICT AREA AND CONFIRMING APPOINTMENT OF ADDITIONAL DIRECTORS TO THE BOARD OF DIRECTORS OF THE ISSUER

(Spartan Store Renovation Project)

Minutes of a regular meeting of the City Council of the City of Lansing, Michigan, held at 7:00 o'clock p.m., Michigan Time, on December 21, 1981, at which the following members were present:

Councilmen Belen, Blair, Brenke, Gunther, Lindemann, McKane, Worthington;

and the following were absent:

Councilman Adado.

The following preamble and resolution were offered by Councilman Gunther and supported by Councilman Brenke:

Whereas, the Economic Development Corporations Act, Act No. 338 of the Michigan Public Acts of 1974, as amended (the "Act"), recognizes that there exists in the State of Michigan the need for programs to alleviate and prevent conditions of unemployment, to assist and retain local industries and commercial enterprises, to encourage and assist the location and expansion of such enterprises to provide needed services and facilities to the City of Lansing and its residents to promote the forestry and agricultural sectors of the State's economy, and to encourage the development of facilities designed to produce energy from renewable sources; and

Whereas, the Act provides a means by which these needs may be addressed; and

Whereas, Louis and George Eyde and/or Eyde Construction Company (the "Applicants") have proposed a project for the renovation of a facility commonly known as the Spartan Store located at 5015 South Cedar Street to be used for commercial office space (the "Project") to The Economic Development Corporation of the City of Lansing (the "Issuer") which would assist in the alleviation of the aforementioned conditions; and

Whereas, the Issuer, in conformity with the Act, has designated a Project Area and Project District Area for its Project to this City Council for its approval thereof.

Now, Therefore, Be It Resolved by this Council of the City of Lansing, as follows:

1. The following Project Area, as designated by the Issuer, is hereby certified as approved:

See Exhibit "A"

2. The territory surrounding said designated Project Area will not be significantly affected by the Project and, therefore, a Project District Area having the same description as the Project Area herein certified as approved is hereby established.

3. Pursuant to Section 20(e) of the Act, a Project Citizens District Council is not required for the Project and therefore, such a Council shall not be formed.

4. This Council hereby advises and consents to the appointment by the chief executive officer of the City of Lansing of Kathryn Haar and Howard Spence as additional directors to the Board of Directors of the Issuer, pursuant to Section 4(2) of the Act, said persons being representative of neighborhood residents and business interests likely to be affected by the Project.

5. The City Clerk is hereby directed to provide three (3) certified copies of this resolution to the Secretary of the Issuer.

Yeas: Councilmen Belen, Blair, Brenke, Gunther, Lindemann, McKane, Worthington.

Nays: None.

Abstentions: Councilman Adado.

Resolution declared adopted.

STATE OF MICHIGAN )
) ss.
COUNTY OF INGHAM )

I hereby certify that the foregoing is a true and complete copy of a resolution adopted at a regular meeting of the City Council of the City of Lansing, County of Ingham, Michigan, held on the 21st day of December, 1981, and that the said minutes are on file in the office of the City Clerk and are available to the public. Public no-

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tice of said meeting was given pursuant to and in compliance with Act No. 267, Public Acts of Michigan, 1976.

THEO FULTON,
Lansing City Clerk.

EXHIBIT A

LEGAL DESCRIPTION

Commencing in the Section Line at a Point 571 ft. West of the SE corner of Section 33, T4N, R2W, City of Lansing, Ingham County, Michigan. Thence West 431.5 ft. along the Section Line, thence North 0°50′ West 200 ft., thence West 270 ft., thence North 0°50′ West, 416.5 ft., thence South 89°34′ East, 706.6 ft., thence South 0°20′ East, 611.2 ft. to the Point of Beginning.

Adopted by the following vote:

Unanimously.

By ECONOMIC DEVELOPMENT COMMITTEE —

Resolved by the City Council of the City of Lansing:

Whereas, the Lansing City Council has established a Lansing Commercial Redevelopment District CRD-2-81 in the City of Lansing, pursuant to Act 255, 1978 and

Whereas, Great Lakes Real Estate Trust has submitted an application for a Commercial Redevelopment Exemption Certificate in said Commercial Redevelopment District CRD-2-81, and

Whereas, a hearing was held on Great Lakes Real Estate Trust's application for an exemption certificate on December 21, 1981, at which time all interested persons had an opportunity to be heard, and

Whereas, Great Lakes Real Estate Trust has met the requirements for said exemption certificate as required in Public Act 255, and

Whereas, this Council finds that the granting of this exemption certificate, considered together with the aggregate amount of Industrial Facilities and Commercial Redevelopment Exemption Certificates previously granted and currently in force shall not have the effect of substantially impeding the operation of the City of Lansing nor impairing the financial soundness of taxing units levying ad valorem property taxes in the City of Lansing; see memorandum of the Finance Director dated December 17, 1981, attached hereto;

Now, Therefore, Be It Resolved that the Council of the City of Lansing approve the application from Great Lakes Real Estate Trust for an exemption certificate in Lansing Commercial Redevelopment District CRD-2-81 and shall remain in effect for a period of 12 years.

Adopted by the following ovte:

Unanimously.

By ECONOMIC DEVELOPMENT COMMITTEE—

Whereas it is necessary to hold a public hearing on the proposed establishment of a Lansing Commercial Redevelopment District, CRD-11-81, southwest corner of Dunckel and Collins Roads, more particularly described as:

Being part of Original Lansing Township Section No. 36, T4N, R2W and bounded as follows: Beginning at the intersection of the centerline of Collins Road with the centerline of Dunckel Road; thence North 86 degrees 09 minutes 45 seconds West along the centerline of Dunckel Road, 342.69 feet to a point; thence South 3 degrees 50 minutes 15 seconds West, 75.00 feet to a point in the Southerly right of way line of Dunckel Road and the principal place of beginning of premises herein described; thence South 86 degrees 09 minutes 45 seconds East along the Southerly right of way line of Dunckel Road, 118.00 feet to an angle point therein; thence South 44 degrees 52 minutes 49 seconds East along the Southwesterly right of way line of Dunckel Road, 109.12 feet to a point; thence South 3 degrees 50 minutes 15 seconds West, 78.01 feet to a point; thence North 86 degrees 09 minutes 45 seconds West, parallel with the centerline of Dunckel Road, 200.00 feet to a point; thence North 3 degrees 50 minutes 15 seconds East, 150.00 feet to the principal place of beginning and containing 0.621 acres of land. Also being a part of Lot 1, Hospitality Motor Inns Subdivision.

Now, Therefore Be It Resolved that the City Clerk give at least ten (10) days notice of a public hearing when all persons interested may attend and make any objections they may have to such proposed district; and

Be It Further Resolved that such hearings be held at the Council Chambers in the City Hall on the 11th day of January, 1982, at 7:00 p.m.; and that notice of such hearing be published in a publication of general circulation in said city.

Adopted by the following vote:

Unanimously.

By PHYSICAL DEVELOPMENT COMMITTEE—

Resolved by the City Council of the City of Lansing:

Be It Resolved that the Physical Development Committee confirms the appointment

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of Mr. Cleo Cipicchio to the Public Service Board with a term expiring June 1982.

Adopted by the following vote:

Unanimously.

By PHYSICAL DEVELOPMENT COMMITTEE—

Resolved by the City Council of the City of Lansing:

Be It Resolved, the City Council of the City of Lansing hereby suspends implementation of the new vehicle policy until January 5th, 1982.

Adopted by the following vote:

Unanimously.

## ZONINGS

By COUNCILMAN WORTHINGTON—

Whereas, it is deemed desirable to amend the Classification provided for in the Zoning Code of the City of Lansing, passed on the 13th day of November, 1958, in the following particulars, viz:

That property described as:

Z-32-81 — 6834 Cooper Rd. and 704 Dadson St.,

be re-zoned from "A" One Family Residential District to "C" Two Family Residential District and the "Map" be changed to indicate such transfer;

Therefore, be it resolved, that the City Clerk shall give at least fifteen days notice of a Public Hearing when all persons interested may attend and make any objections they may have to such proposed changes in said Zoning Code.

Resolved further, that such hearing shall be held at the Council Chamber in the City Hall on the 11th day of January, 1982, at 7:00 o'clock p.m., and that notice of such hearing be published in the official publication of said city, as required by law.

Adopted by the following vote:

Unanimously.

By COUNCILMAN WORTHINGTON—

Whereas, it is deemed desirable to amend the Classification provided for in the Zoning Code of the City of Lansing, passed on the 13th day of November, 1958, in the following particulars, viz:

That property described as:

Z-35-81 — 625 W. Sheridan St.,

be re-zoned from "A" One Family Residential District to "B" One Family Residential District and the "Map" be changed to indicate such transfer;

Therefore, be it resolved, that the City Clerk shall give at least fifteen days notice of a public hearing when all persons interested may attend and make any objections they may have to such proposed changes in said Zoning Code.

Resolved further, that such hearing shall be held at the Council Chamber in the City Hall on the 11th day of January, 1982, at 7:00 o'clock p.m., and that notice of such hearing be published in the official publication of said city, as required by law.

Adopted by the following vote:

Unanimously.

COUNCILMAN BLAIR left the session.

By COUNCILMAN WORTHINGTON—

Whereas, it is deemed desirable to amend the Classification provided for in the Zoning Code of the City of Lansing, passed on the 13th day of November, 1958, in the following particulars, viz:

That property described as:

Z-33-81 — 801 W. Saginaw St.,

be re-zoned from "C" Two Family Residential District to "DM" Multiple Family Dwelling District and the "Map" be changed to indicate such transfer;

Therefore, be it resolved, that the City Clerk shall give at least fifteen days notice of a public hearing when all persons interested may attend and make any objections they may have to such proposed changes in said Zoning Code.

Resolved further, that such hearing shall be held at the Council Chamber in the City Hall on the 18th day of January, 1982, at 7:00 o'clock p.m., and that notice of such hearing be published in the official publication of said city, as required by law.

Adopted by the following ovte:

Unanimously.

By COUNCILMAN WORTHINGTON—

Whereas, it is deemed desirable to amend the Classification provided for in the Zoning Code of the City of Lansing, passed on the 13th day of November, 1958, in the following particulars, viz:

That property described as:

Z-34-81 — 513, 519, 523 and 527 W. Willow St. and 1216-1225 N. Pine St.,

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be re-zoned from "C" Two Family Residential District to "E-1" Drive-In Shop District and the "Map" be changed to indicate such transfer;

Therefore, be it resolved, that the City Clerk shall give at least fifteen days notice of a public hearing when all persons interested may attend and make any objections they may have to such proposed changes in said Zoning Code.

Resolved further, that such hearing shall be held at the Council Chamber in the City Hall on the 18th day of January, 1982, at 7:00 o'clock p.m., and that notice of such hearing be published in the official publication of said city, as required by law.

Adopted by the following vote:

Unanimously.

By COUNCILMAN WORTHINGTON—

Whereas, by petition duly filed on the 13th day of October, 1980, this council was petitioned to change the following described property from "A" One Family Residential District to "I" Heavy Industrial District all as set forth in the Zoning Code of this city, and

Whereas, the property involved is described as:

Z-37-80 — 6500 Aurelius Road, Parcel number 3305-10-276-161.

More particularly described as:

Lot 7 and that part of Lots 5 and 6 lying southerly of a line 103 feet southerly of, measured at right angles, and parallel to a line described as; commencing at a point on the east line of Section 10, North 0° 35' 05" west 825.75 feet from the east ¼ corner, Section 10; thence south 68° 38' 48" west 800 feet to point of ending, except the east 37 feet, Supervisor's Plat No. 2, City of Lansing, Ingham Conuty, Michigan,

from an "A" One Family Residential District to an "I" Heavy Industrial District.

Whereas, pursuant to Act 207, Public Acts of 1921, as amended, the Planning Board advised the City Council to deny this request; and

Whereas, the Physical Development Committee of City Council, to whom was referred the report of the Planning Board, concurred therewith;

Now, Therefore, Be It Resolved that the Council of the City of Lansing ordains that the request to rezone the above described property from "A" One Family Residential District to "I" Heavy Industrial District be denied; and

Be It Further Resolved that the City Clerk be, and she is hereby, directed to notify the applicant of this action.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PHYSICAL DEVELOPMENT—

Resolved by the City Council of the City of Lansing:

Whereas, the City of Lansing has applied for the issuance of a special use permit to allow sanitary landfill operations on land situated at the Southwest corner of Coleman Road and Wood Street as more fully described in the application attached hereto; and

Whereas, the Planning Board has recommended approval of said special use permit subject to certain conditions; and

Whereas, a public hearing upon the issuance of said special use permit has been duly noticed and conducted before the Lansing City Council, Now, Therefore,

Be It Hereby Resolved that the issuance of a special use permit to the City of Lansing pursuant to application file number SUP-17-78 to permit sanitary landfill operations upon the property located at the Southwest corner of Coleman Road and Wood Street is approved; and

Be It Further Resolved that said special use permit shall be subject to the following conditions:

1. That a plan for development and operation of that land as a sanitary landfill is approved by the Michign Department of Natural Resources and the City of Lansing.

2. That all conditions and requirements set forth in the Code of the City of Lansing are complied with in the plan and operation of said sanitary landfill including, but not limited to, the requirements of Section 36.3 of said Code and all other requirements for screening and buffering.

3. That access to said land for depositing solid wastes shall be through the adjacent sanitary landfill currently owned by Granger Land Development Company and not by means of Coleman Road.

4. That sanitary landfill operations upon said land shall be limited to those of a Type 2 sanitary landfill as specified pursuant to Act 641, Public Acts of 1979 and shall not include the deposition or disposal of hazardous wastes not permitted in a Type 2 sanitary landfill facility.

5. That all changes recommended in the previously proposed development plan for said landfill be deleted pending review and approval of a revised plan by the City of Lansing.

6. That the proposed requirements regarding Coleman Road and traffic signals be deleted.

7. That the specific screening and fencing requirements recommended be deleted, pending imposition of revised requirements consistent with the City of Lansing's screening and buffering ordinances and to be set forth in the revised plan to develop and operate a landfill upon said property

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which is to be approved by the City of Lansing.

8. That the Michigan Department of Natural Resources issue all licenses and permits required for the operation of a sanitary landfill upon said property.

Adopted by the following vote:

Unanimously.

COUNCILMAN BLAIR returned to the session.

By COMMITTEE ON ECONOMIC DEVELOPMENT—

RESOLUTION APPROVING AMENDMENT TO ARTICLES OF INCORPORATION OF THE ECONOMIC DEVELOPMENT CORPORATION OF THE CITY OF LANSING

---

Minutes of a regular meeting of the City Council of the City of Lansing held in the City Hall, Lansing, Michigan, on the 21st day of December, 1981, at 7:00 o'clock p.m., Michigan time, pursuant to notice duly given.

Present: Councilmen Belen, Blair, Brenke, Gunther, Lindemann, McKane, Worthington.

Absent: Councilman Adado.

The following preamble and resolution were offered by Councilman Gunther and supported by Councilman Brenke:

Whereas, the Economic Development Corporation of the City of Lansing (the "EDC") has been formed and incorporated pursuant to the Economic Development Corporations Act, Public Act No. 338 of the Michigan Public Acts of 1974, as amended (the "Act"), and Section 29 of the Act provides that the Articles of Incorporation of the EDC shall set forth the number, terms, powers and duties and manner of selection of its officers; and

Whereas, the EDC has requested that this City Council amend the EDC's Articles of Incorporation pursuant to Section 30 of the Act in order to more clearly set forth the number, terms, manner of selection and powers and duties of the officers of the EDC.

Now, Therefore, Be It Hereby Resolved by the City Council of the City of Lansing:

1. The Articles of Incorporation of The Economic Development Corporation of the City of Lansing are hereby amended to add Article IX to read as follows:

Article IX

The number, terms, manner of selection and powers and duties of the officers of the Corporation shall be set forth in the corporation's bylaws. In addition to the powers of the corporation's officers contained in its bylaws, the bonds, notes or coupons issued by the Corporation shall be executed on behalf of the corporation by the signature of the Chairman or Vice-Chairman of the corporation (or facsimile signature of the Chairman or Vice-Chairman impressed or imprinted thereon) and countersigned by the signature of the Secretary or Treasurer of the corporation (or facsimile signature of the Secretary or Treasurer of the corporation impressed or imprinted theeon). By resolution, the board of directors may designate any director to execute, on behalf of the corporation, bonds, notes, coupons or any other document or agreement.

2. After adoption and execution of this resolution, the City Clerk is requested to deliver three certified copies of its resolution approving the amendment to the EDC's Articles of Incorporation to the EDC to allow the EDC to file a certified copy of this resolution with the Michigan Secretary of State pursuant to Section 30 of the Act.

3. In all other respects, the EDC's Articles of Incorporation are hereby ratified and confirmed.

Yeas: Councilmen Belen, Blair, Brenke, Gunther, Lindemann, McKane, Worthington.

Nays: None.

Absent: Councilman Adado.

Abstentions: Councilman Adado.

Resolution declared adopted.

THEO FULTON,
City Clerk, City of Lansing.

STATE OF MICHIGAN )
) ss.
COUNTY OF INGHAM )

I, the undersigned, duly qualified and acting City Clerk of the City of Lansing, Michigan, do hereby certify that the foregoing is a true and complete copy of a resolution originally adopted by the City Council of the City of Lansing at a regular meeting held on the 21st day of December, 1981, an original of which is on file in the City Clerk's office and is available to the public. Public notice of said meeting was given pursuant to and in compliance with Act No. 267, Public Acts of Michigan, 1976, as amended, including in the case of a special or rescheduled meeting, notice by publication or posting at least eighteen (18) hours prior to the time set for the meeting.

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In Witness Whereof, I have hereto affixed my official signature this 21st day of December, A.D. 1981.

THEO FULTON,
City Clerk, City of Lansing.

Adopted by the following vote:

Unanimously.

By PHYSICAL DEVELOPMENT and PUBLIC PROPERTIES AND SAFETY COMMITTEES—

Resolved by the City Council of the City of Lansing:

Whereas the City of Lansing has an adopted policy which states:

"The City shall strive to maintain, encourage and facilitate expansion of the existing industry located within its boundaries while at the same time evaluating the adverse impact of that industry on the adjacent land uses to determine possible solutions;" and

Whereas the City of Lansing provides economic development assistance for rehabilitation and expansion of industry; and

Whereas the businesses along Grand River Avenue between Ballard Street and the Penn Central Railroad tracks, Case Street south of Grand River Avenue, Porter Street west of Ballard Street, and Ballard Street south of Porter Street are viable but in many instances located in older facilities;

Now, Therefore, Be It Resolved that the Economic Development staff of the City immediately contact the companies in the above mentioned area to provide them with economic development information and assistance as necessary.

Adopted by the following vote:

Unanimously.

By PHYSICAL DEVELOPMENT and PUBLIC PROPERTIES AND SAFETY COMMITTEES—

Resolved by the City Council of the City of Lansing:

Act-24-81
100 block of Case Street

---

Whereas the Lansing Planning Board recommended vacation of that part of Case Street described as:

That portion of Case Street lying north of the south lot line of Lot 11, extended west and south of the north lot line of Lot 6, extended west, of Block 10, Handy Home Addition, City of Lansing, Ingham County, Michigan; and

Whereas the Planning Board, in their recommendation, attempted to provide some equitable solutions which would protect the neighborhood and existing businesses in the area of this street vacation while allowing for the expansion of the Wohlert Corporation facilities; and

Whereas an existing City of Lansing Policy is:

"The City shall strive to maintain, encourage and facilitate expansion of the existing industry located within its boundaries while at the same time evaluating the adverse impact of that industry on the adjacent land uses to determine possible solutions;" and

Whereas the subject area was designated for industrial expansion by the 1958 Comprehensive Plan;

Now, Therefore, Be It Resolved that the portion of Case Street herein described be abandoned and vacated to the adjacent property owners (in this instance the Wohlert Corporation), subject to the following conditions and actions:

1) That a detailed site plan be submitted to the Planning Department for review and forwarded to the City Council for approval.

2) That the actual closing of the street to the public take place only after the approval of the site plan described in item (1) above and permits for construction are issued.

3) That a full width utility easement be retained unless the Wohlert Corporation provides funds for the relocation of utilities within the easement.

4) That turn around space be developed within the remaining Case Street right-of-way to enable public service and emergency vehicles to serve the area adequately.

5) That the following actions be taken to facilitate truck movements within the area:

   A) That portions of the following intersections be modified to facilitate truck turning movements;

      (1) Ballard/Oakland — the northwestern and northeastern corners.

      (2) Ballard/Porter — the southwestern corner.

      (3) Porter/the alley owned by American Marsh Pump Corporation— the southeastern corner.

6) That City staff invesitgate sources of funds and explore alternatives that can be used in the acquisition of 1142 Case Street and the vacant lot immediately to the north of 1142 Case Street and the redevelopment of these properties as a commercial parking lot.

7. That Wohlert Corporation make a reasonable effort to purchase the property at 1143 Case Street and that the site plan submitted to City Council include this property to provide adequate radius to improve truck maneuverability to ac-

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cess commercial property on Case Street and the southwest corner of East Grand River Avenue.

8. That City Staff investigate improvements to Porter Street which would include, but not limited to, widening, reinforcement of the street to all weather capacity, and parking. Major improvements shall be referred to the Capital Improvements Committee.

9. That the Planning Staff initiate a petition to rezone the vacated portion of Case Street to "I" Heavy Industrial District.

Be It Further Resolved that the City Clerk is hereby authorized and directed to record a certified copy of this resolution with the Register of Deeds, and shall also send a copy of the recorded resolution to the State Treasurer.

Adopted by the following vote:

Unanimously.

By PHYSICAL DEVELOPMENT and PUBLIC PROPERTIES AND SAFETY COMMITTEES—

Whereas, by petition duly filed on the 8th day of September, 1981, this council was petitioned to change the following described property from "C" Two Family Residential District to "J" Parking District all as set forth in the Zoning Code of this city, and

Whereas, due noicte as required by law has been given for a public hearing on said petition, and

Whereas, at such hearing held on the 7th day of December, 1981, all parties interested therein were heard and given due consideration, and

Whereas, the property involved is described as:

Z-29-81 — 1111, 1115, 1117, 1119, 1125, 1129, 1122, 1135, 1137 and 1139 Ballard Street.

More particularly described as:

Lots 17, 18, 19, 20, 21 and 23, Block 10, Handy Home Addition, City of Lansing, Ingham County, Michigan;

from "C" Two Family Residential District to a "J" Parking District.

Whereas, pursuant to Act 207, Public Acts of 1921, as amended, the Plannnig Board advised the City Council to approve this petition with conditions; and

Whereas the Physical Development Committee of City Council, to whom was referred the report of the Planning Board, concurred therewith;

Now, Therefore, Be It Resolved that the Council of the City of Lansing ordains that the request to rezone the above described property from "C" Two Family Residential District to "J" Parking District be approved subject to the following conditions:

1) That prior to construction or use of the property, a site plan be submitted and approved by the Lansing City Council which reflects all of the expansion activities of Wohlert Corporation.

2) That the site plan reflect the closing of that portion of the alley connecting with Ballard Street on the northerly end of the parking lot.

3) That the remaining portion of the alley connecting with Case Street be widened to approximately eighteen (18) feet.

4) That the site plan should reflect a secondary access route in the event Porter Street is ever closed for emergency purposes.

5) That the site plan include the vacated portion of Case Street; and

Be It Further Resolved that the City Clerk be, and she is hereby, directed to notify the applicant of this action.

Adopted by the following vote:

Unanimously.

By COMMITTEE OF THE WHOLE—

Resolved by the City Council of the City of Lansing:

Whereas, the City recently completed a section of street that connects Larch Street (U.S.-27) on the west and E. High Street on the east, and

Whereas, E. High Street becomes Lake Lansing Road on the east at the City Limits, and

Whereas, confusion can be avoided by having the entire street under a single name,

Now, Therefore, Be It Resolved, that the City Council of the City of Lansing hereby officially changes the name of E. High Street to Lake Lansing Road, and

Be It Further Resolved, that the new section of road from N. High Street to Larch Street (U.S.-27) be named Lake Lansing Road, and

Be It Further Resolved, the City Clerk is directed within 30 days to record a certified copy of this resolution with the Register of Deeds giving the name of the plat or plats affected and shall send a copy to the State Treasurer, and

Be It Finally Resolved, this resolution shall have no force or effect until recorded in the above described manner.

Adopted by the following vote:

Unanimously.

By COMMITTEE OF THE WHOLE—

Resolved by the City Council of the City of Lansing:

Whereas, the development of Lansing's

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downtown area, including the riverfront properties, is well underway, and

Whereas, the R. E. Olds Museum and Impressions V Museum are both located on Mill Street south of Michigan Avenue, and

Whereas, this short section of street is occupied primarily by commercial and industrial properties with no residential uses, and

Whereas, in an effort to draw attention to our fine museums,

Now, Therefore, Be It Resolved, the City Council of the City of Lansing hereby officially changes the name of Mill Street from Michigan Avenue south to its terminus, to "Museum Drive," and

Be It Further Resolved, the City Clerk is directed within 30 days to record a certified copy of this resolution with the Register of Deeds giving the name of the plat or plats affected and shall send a copy to the State Treasurer, and

Be It Finally Resolved, this resolution shall have no force or effect until recorded in the above described manner.

Adopted by the following vote:

Unanimously.

By COMMITTEE OF THE WHOLE—

Resolved by the City Council of the City of Lansing:

Whereas, on May 15, 1981, the Lansing Firefighters Union filed an unfair labor charge against the City of Lansing alleging that a unilateral alteration of minimum manning standards in the Fire Department violated certain sections of the Public Employment Relations Act, and

Whereas, on May 26, 1981, the Lansing Firefighters Union filed suit in the Ingham County Circuit Court and obtained a temporary restraining order preventing the City from reducing the minimum manning standards in the Fire Department; and

Whereas, the law firm of Miller, Johnson, Snell, & Cummiskey, was retained to represent the City's interest in both matters; and

Whereas, the parties agreed to arbitrate the aforesaid allegations on December 1, 1981; that date having been adjourned by consent of the parties and tentatively rescheduled for March 4, 1982; Now Therefore Be It

Resolved, that the City Attorney's Office be directed to represent the City's interest in these matters and to resolve them as expeditiously as possible.

By COUNCILMAN WORTHINGTON—

That the resolution be amended as follows:

That the last paragraph of the resolution be amended to read as follows:

"Resolved, that the City Attorney's Office is directed to be responsible for the City's interest in these matters and to resolve them as expeditiously as possible."

Carried.

The resolution as amended was adopted by the following vote:

Unanimously.

By COMMITTEE OF THE WHOLE—

Resolved by the City Council of the City of Lansing:

Whereas, City Council resolved on September 10, 1980, that the property exchange proposed by Mr. Robert Hudson of 1827 Tecumseh River Drive and described as follows:

> A strip of City-owned land known as the Tecumseh Park park walk, legally described as a strip of land 12 feet in width and 182 feet in length, situated between Lots 13 and 14 of River Forest, South Plat Subdivision, City of Lansing, County of Ingham, State of Michigan, in exchange for a strip of land of equal dimension owned by Mr. Hudson and situated immediately east of the above described property,

be approved subject to the rules and regulations governing such an exchange; and

Whereas, the issue of disposing of the public land known as the park walk to Tecumseh Park was placed before the People of the City of Lansing at the General Election of November 4, 1980, and said proposal was approved by the majority of the electorates; and

Whereas, on the 21st day of October, 1981, the "Complaint and/or Application to Discontinue and Vacate the Right of Way Known as the Park Walk to Tecumseh Park and Grand River" was filed in the Circuit Court for the County of Ingham; and

Whereas, a hearing was held on the matter on November 25, 1981, in a Circuit Courtroom for the County of Ingham; and

Whereas, the Court determined that it was necessary for the best interest and welfare of the public that the aforesaid parts of the public Right of Way known as the Park Walk to Tecumseh Park and Grand River be discontinued and vacated; and

Whereas, Honorable Michael G. Harrison, Circuit Judge, ordered and adjudged on November 25, 1981, that the Right of Way known as the Park Walk to Tecumseh Park and Grand River in the City of Lansing, Ingham County, Michigan, lying between Tecumseh Avenue (on the north) and Tecumseh Park (on the south) in Lot No. 14 of River Forest, South Plat Subdivision (on the west) and Lot No. 13 of River Forest, South Plat Subdivision (on the east) and which is specifically described as follows:

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A strip of land 12 feet in width and 182 feet in length, situated between Lots 13 and 14 of River Forest, South Plat Subdivision, City of Lansing, County of Ingham, State of Michigan,

may be vacated by the City Council of the City of Lansing, Ingham County, Michigan; and

Whereas, the Honorable Michael G. Harrison, Circuit Judge, further ordered and adjudged that the City Council of the City of Lansing, Ingham County, Michigan, be specifically authorized to take whatever action it deems appropriate, including the passage of a City Council Resolution, to accomplish the complete discontinuance and vacating of the above described parts of the Right of Way known as the Park Walk to Tecumseh Park and the Grand River; Now, Therefore

Be It Resolved that the Right of Way known as the Park Walk to Tecumseh Park and Grand River is hereby vacated; and be it

Further Resolved that the City of Lansing is authorized to transfer possession and control of the vacated Park Walk to Tecumseh Park and the Grand River by Quit-Claim Deed in exchange for a strip of land of identical dimension owned by Mr. Hudson of 1827 Tecumseh River Drive and situated immediately east of the vacated Park Walk to Tecumseh Park and the Grand River; and be it

Finally Resolved that the City Clerk is hereby authorized and directed to file the necessary documents with the Ingham County Register of Deeds.

Adopted by the following vote:

Unanimously.

Agenda Item 7

By WAYS AND MEANS COMMITTEE—

Resolved by the City Council of the City of Lansing:

That the following transfers be approved:

**Parking System Fund**

$3,301.00 from Estimated Revenues
A/C 585-000-000-160

$1,360.00 to Wages—Hourly
A/C 585-570-428-706

600.00 to Wages—Temp. Help
A/C 585-570-528-707

630.00 to Fringe Benefits
A/C 585-570-428-715

126.00 to Supplies
A/C 585-570-428-740

50.00 to Utilities
A/C 585-570-428-920

535.00 to Admin. Charge
A/C 585-536-000-802

**Service Garage Fund**

$1,585.00 from Wages—Hourly
A/C 640-536-000-706

585.00 from Fringe Benefits Adm. & General
A/C 640-536-000-715

7,250.00 from Estimated Revenues
A/C 640-000-000-160

$1,585.00 to Wages—Hourly
A/C 640-955-000-706

585.00 to Fringe Benefits
A/C 640-955-000-715

4,670.00 to Operating Supplies
A/C 640-955-000-740

2,580.00 to Equipment Maint.
A/C 640-955-000-933

I hereby certify that this is a properly drawn and eligible transfer.

JAMES W. DOWSETT,
Finance Director.

Approved:

TERRY J. McKANE,
JACK D. GUNTHER,
WILLIAM A. BRENKE,
Ways and Means Committee.

Adopted by the following vote:

Unanimously.

## INTRODUCTION OF ORDINANCE(S)

The following ordinance(s) of the City of Lansing, Michigan, providing that the Code of Ordinances be amended by

Revising Section 31-176 to provide for raising the fines for certain parking violations, was introduced by Councilman Worthington, read a first and second time by its title(s) and referred to the Committee on General Services.

By COUNCILMAN GUNTHER—

Resolved by the City Council of the City of Lansing:

That Councilman Adado be excused from the session.

Carried.

## REMARKS BY THE MAYOR

No remarks.

## REMARKS BY THE CITY COUNCIL

By COUNCILMEN WORTHINGTON, GUNTHER and McKANE—

Resolved by the City Council of the City of Lansing:

That the rules of the Council be waived for the purpose of presenting items that are not listed on the agenda.

Carried.

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Letter from F/S Development requesting that Kalamazoo St. from Logan St. to Pine St. be designated as a two-way.

Referred to Mayor.

## REPORT OF COMMITTEE

COUNCILMEN BRENKE & GUNTHER, to whom was referred the bid for purchase of non-metallic chain and accessories, reports as follows:

That the recommendation of the administration for acceptance of non-low bid be accepted.

Signed:

TERRY J. McKANE,
WILLIAM A. BRENKE,
JACK D. GUNTHER,
Committee on Ways and Means.

By COUNCILMAN McKANE—

That the report of the Committee be adopted.

Adopted by the following vote:

Unanimously.

By COMMITTEE ON PUBLIC PROPERTIES AND SAFETY—

Resolved by the City Council of the City of Lansing:

Whereas, C. Rowland Stebbins has offered to donate to the City two parcels of land located south of Willoughby Road adjacent to the City-owned Willoughby Park; and

Whereas, the Parks Board and the Planning Board have reviewed the proposal and recommended that the City accept the offer;

Now, Therefore, Be It Resolved the Lansing City Council hereby authorizes the immediate acceptance of the donation by C. Rowland Stebbins of property south of Willoughby Road, legally described as:

All that certain piece or parcel of land situated and being in the township of Delhi, County of Ingham and State of Michigan, and described as follows to wit: the west ½ of the northwest ¼ of the northwest ¼ of Section 16, T3N, R2W; and the south 820 feet of the west ½ of the northwest ¼ of the northwest ¼ of Section 16, T3N, R2W;

subject to approval of the deed as to form by the City Attorney and subject to a title commitment; and

Be It Further Resolved this property shall not be designated as parkland at this time, but the property or the proceeds from its subsequent sale shall be used for park purposes, at which time the parkland or the park use to which the sale proceeds are applied shall be dedicated in the name of C. Rowland Stebbins; and

Be It Finally Resolved the City Council, on behalf of the Government and Residents of Lansing, hereby expresses its grateful appreciation to Mr. Stebbins and his family for this donation.

Adopted by the following vote:

Unanimously.

December 21, 1981

President Belen and Councilmembers:

Please accept this letter as my resignation as Third-Ward Lansing City Councilman. My resignation will be effective January 1, 1982,

My resignation is offered with a sense of challenge as I begin my term as Mayor of Lansing. It is also offered with a deep sense of personal sadness—it is not easy for me to leave this public body for which I have a profound feeling of love and respect.

Each Councilman and staff member has contributed to my understanding of Lansing, its people, and its government. I know that I will be able to continue to draw upon your wisdom as I undertake the opportunity of leading our City.

I thank each of you for your past support and I look forward to continuing to work with you on behalf of our mutual constituents, the people of Lansing.

Sincerely,

TERRY J. McKANE,
Mayor-Elect.

Received and placed on file.

Remarks were made by Councilmen McKane, Brenke and Gunther and City Clerk Fulton.

Councilman Blair spoke of the conditions in Poland and asked for a moment of silent prayer for the people of Poland.

By COUNCILMAN BRENKE—

That this meeting stand adjourned.

Carried.

Council adjourned at 9:20 p.m.

THEO FULTON,
City Clerk.

Lansing, Michigan

December 21, 1981

F/B

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